

THE NATIONAL ARCHIVES FEDERAL REGISTER OF THE UNITED STATES

1934
VOLUME 13 NUMBER 199

Washington, Tuesday, October 12, 1948

TITLE 3—THE PRESIDENT

PROCLAMATION 2816

EXTENSION OF TIME FOR RENEWING TRADE-MARK REGISTRATIONS: AUSTRIA

BY THE PRESIDENT OF THE UNITED STATES
OF AMERICA
A PROCLAMATION

WHEREAS by the act of Congress approved July 17, 1946, 60 Stat. 568, the President is authorized, under the conditions prescribed in that act, to grant an extension of time for the fulfillment of the conditions and formalities for the renewal of trade-mark registrations prescribed by section 12 of the act authorizing the registration of trade-marks used in commerce with foreign nations or among the several States or with Indian tribes, and to protect the same, approved February 20, 1905, as amended (15 U. S. C. 92) by nationals of countries which accord substantially equal treatment in this respect to citizens of the United States of America:

NOW THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, under and by virtue of the authority vested in me by the aforesaid act of July 17, 1946, do find and proclaim that with respect to trade-marks of nationals of Austria registered in the United States Patent Office which have been subject to renewal on or after September 3, 1939, there has existed during several years since that date, because of conditions growing out of World War II, such disruption or suspension of facilities essential to compliance with the conditions and formalities prescribed with respect to renewal of such registrations by section 12 of the aforesaid act of February 20, 1905, as amended, as to bring such registrations within the terms of the aforesaid act of July 17, 1946; that Austria accords substantially equal treatment in this respect to trade-mark proprietors who are citizens of the United States; and that accordingly the time within which compliance with conditions and formalities prescribed with respect to renewal of registrations under section 12 of the aforesaid act of February 20, 1905, as amended, may take place is hereby extended with respect to such registrations which expired after September 3, 1939, and before June 30,

1947, until and including February 28, 1949.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington, this 9th day of October, in the year of our Lord nineteen hundred and [SEAL] forty-eight and of the Independence of the United States of America the one hundred and seventy-third.

HARRY S. TRUMAN

By the President:

ROBERT A. LOVETT,
Acting Secretary of State.

[F. R. Doc. 48-3072; Filed, Oct. 11, 1948;
10:50 a. m.]

EXECUTIVE ORDER 10006

PREPARATION, PRESENTATION, FILING, AND PUBLICATION OF EXECUTIVE ORDERS AND PROCLAMATIONS

By virtue of authority vested in me by the Federal Register Act (49 Stat. 500, as amended; 44 U. S. C. 301 et seq.) and as President of the United States, it is hereby ordered as follows:

1. The following regulations shall govern the preparation, presentation, filing, and publication of Executive orders and proclamations, and shall constitute §§ 1.91 through 1.97 of Chapter I of Title 1 of the Code of Federal Regulations:

§ 1.91 *Form.* Proposed Executive orders and proclamations shall be prepared in accordance with the following requirements:

(a) The order or proclamation shall be given a suitable title.

(b) The authority under which the order or proclamation is issued shall be cited in the body thereof.

(c) Punctuation, capitalization, orthography, and other matters of style shall, in general, conform to the most recent edition of the Style Manual of the United States Government Printing Office.

(d) The spelling of geographic names shall conform to the most recent official decisions of the Board on Geographic

(Continued on p. 5929)

CONTENTS

THE PRESIDENT

Proclamation _____ Page
Austria; extension of time for
renewing trade-mark registra-
tions_____ 5927

Executive Order

Executive orders and proclama-
tions; preparation, presenta-
tion, filing, and publication_____ 5927

EXECUTIVE AGENCIES

Agriculture Department

See also Animal Industry Bureau;
Forest Service.

Proposed rule making:

Union Stock Yards; petition for
modification of temporary
rates_____ 5952

Alaska Road Commission

Notices:

Establishment and organiza-
tion_____ 5954

Alien Property, Office of

Notices:

Vesting orders, etc..
Costs and expenses incurred in
certain Missouri, New Jer-
sey, New York, and Wiscon-
sin courts_____ 5962
Fujita, K., et al_____ 5961
Gerbeth, Miss Rosa, and Mrs.
Rosa Gerbeth_____ 5959
Groll, Anna, et al_____ 5961
Ishii, Calvin Tetsuo_____ 5960
Magnus, J., & Co_____ 5959
Popa, John_____ 5959
Ruppel, Ernst Ludwig_____ 5962

Animal Industry Bureau

Rules and regulations:

Horses, purebred; recognition
of breeds and books of rec-
ord_____ 5936
Rinderpest and foot-and-mouth
disease; determination of
nonexistence in Ireland
(Eire) and Northern Ireland. 5936

Army Department

Rules and regulations:

Michigan; list of Executive or-
ders, proclamations and pub-
lic land orders affecting mili-
tary reservations_____ 5937



Published daily, except Sundays, Mondays, and days following official Federal holidays, by the Division of the Federal Register, the National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U. S. C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1947.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for \$1.50 per month or \$15.00 per year, payable in advance. The charge for individual copies (minimum 15¢) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington 25, D. C.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER.

Now Available

UNITED STATES GOVERNMENT MANUAL

1948 Edition

(Revised through June 30)

Published by the Division of the Federal Register, the National Archives

722 pages—\$1.00 a copy

Order from Superintendent of Documents,
United States Government Printing Office,
Washington 25, D. C.

CONTENTS—Continued

Army Department—Continued	Page
Rules and regulations—Continued	
Transfer and revision of regulations:	
Rifle practice, promotion.....	5942
Schools and colleges.....	5939
Civil Service Commission	
Rules and regulations:	
Appointment to certain scientific, technical and professional positions, formal education requirements; dietitian.....	5936
Customs Bureau	
Proposed rule making:	
Sky Harbor Seaplane Base, Duluth, Minn., and C. A. A. Field, Juneau, Alaska; redesignation as airports of entry without time limit.....	5952

CONTENTS—Continued

Displaced Persons Commission	Page
Rules and regulations:	
Displaced persons; admission into U. S. (Corr.).....	5936
Federal Power Commission	
Notices:	
Hearings, etc..	
Interstate Natural Gas Co., Inc.....	5956
Panhandle Eastern Pipe Line Co.....	5956
Federal Register Administrative Committee	
Rules and regulations:	
Revision of chapter:	
Code of Federal Regulations, 1949 Edition.....	5935
Federal Register.....	5929
U. S. Government Organization Manual.....	5935
Fish and Wildlife Service	
Rules and regulations:	
Aleutian Islands National Wildlife Refuge, Alaska; special regulations.....	5950
Forest Service	
Rules and regulations:	
Marquette National Forest.....	5950
Housing Expediter, Office of	
Rules and regulations:	
Rent, controlled:	
Housing (2 documents).....	5937
Rooms in rooming houses and other establishments (2 documents).....	5937, 5938
Indian Affairs, Office of	
Proposed rule making:	
Utah Indian Irrigation Project, Utah; operation and maintenance charges.....	5952
Industry Cooperation, Office of	
Notices:	
Voluntary plan for allocation of steel products for construction, reconversion and repair of merchant vessels.....	5954
Interstate Commerce Commission	
Notices:	
Freight rates, increases, 1948.....	5956
Land Management, Bureau of	
Rules and regulations:	
Michigan; addition of certain lands to Marquette National Forest.....	5950
National Military Establishment	
See also Army Department.	
Rules and regulations:	
Induction standards.....	5938
Securities and Exchange Commission	
Notices:	
Hearings, etc..	
Brager-Eisenberg, Inc.....	5957
International Hydro-Electric System.....	5957
Middle West Corp. et al.....	5959
New York State Electric & Gas Corp. and General Public Utilities Corp.....	5958
Public Service Co. of Indiana, Inc.....	5958

CONTENTS—Continued

State Department	Page
Rules and regulations:	
Surplus property located in foreign areas, disposal; importation into U. S. (Corr.).....	5938

CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

Title 1—General Provisions	Page
Chapter I—Administrative Committee of the Federal Register:	
Part 1—Federal Register.....	5920
Part 2—Code of Federal Regulations, 1949 Edition.....	5935
Part 3—United States Government Organization Manual.....	5935
Title 3—The President	
Chapter I—Proclamations:	
1938 (see PLO 523).....	5950
2816.....	5927
Chapter II—Executive Orders:	
Jan. 19, 1895 (see PLO 523).....	5950
7298 (superseded by EO 10006).....	5927
10006.....	5927
Title 5—Administrative Personnel	
Chapter I—Civil Service Commission:	
Part 24—Formal education requirements for appointment to certain scientific, technical, and professional positions.....	5936
Title 8—Aliens and Nationality	
Chapter IV—Displaced Persons Commission:	
Part 700—Admission into the United States of displaced persons.....	5936
Title 9—Animals and Animal Products	
Chapter I—Bureau of Animal Industry, Department of Agriculture:	
Part 94—Rinderpest and foot-and-mouth disease; prohibited and restricted importations.....	5936
Part 151—Recognition of breeds and purebred animals.....	5936
Title 10—Army	
Chapter V—Military Reservations and National Cemeteries:	
Part 501—List of Executive orders, proclamations and public land orders affecting military reservations.....	5937
Title 19—Customs Duties	
Chapter I—Bureau of Customs, Department of the Treasury:	
Part 6—Air commerce regulations (proposed).....	5952
Title 24—Housing Credit	
Chapter VIII—Office of Housing Expediter:	
Part 825—Rent regulations under the Housing and Rent Act of 1947, as amended (4 documents).....	5937, 5938

CODIFICATION GUIDE—Con.

Title 25—Indians	Page
Chapter I—Office of Indian Affairs, Department of the Interior:	
Part 130—Operation and maintenance charges (proposed) ..	5952
Title 32—National Defense	
Chapter XXIV—Department of State, Disposal of Surplus Property:	
Part 8508—Disposal of surplus property located in foreign areas	5938
Title 34—National Military Establishment	
Subtitle A—Secretary of Defense:	
Part 73—Induction standards ..	5938
Chapter V—Department of the Army:	
Part 542—Schools and colleges ..	5939
Part 543—Promotion of rifle practice	5942
Title 36—Parks and Forests	
Chapter II—Forest Service, Department of Agriculture:	
Part 201—National forests	5950
Title 43—Public Lands: Interior	
Chapter I—Bureau of Land Management, Department of the Interior:	
Appendix—Public land orders: 523	5950
Title 50—Wildlife	
Chapter I—Fish and Wildlife Service, Department of the Interior:	
Part 30—Alaska region national wildlife refuges	5950

Names established pursuant to the act of July 25, 1947, 61 Stat. 456 (43 U. S. C. 364 et seq.)

(e) Descriptions of tracts of land shall conform, so far as practicable, to the most recent edition of the "Specifications for Descriptions of Tracts of Land for Use in Executive Orders and Proclamations," published by, or under the direction of, the Director of the Bureau of the Budget.

(f) Proposed Executive orders and proclamations shall be typewritten on paper approximately 8 x 12½ inches, shall have a left-hand margin of approximately 1½ inches and a right-hand margin of approximately 1 inch, and shall be double-spaced, except that quotations, tabulations, and descriptions of land may be single-spaced.

§ 1.92 *Routing and approval of drafts.* A proposed Executive order or proclamation shall first be submitted, with seven copies thereof, to the Director of the Bureau of the Budget. If the Director of the Bureau of the Budget approves it, he shall transmit it to the Attorney General for his consideration as to both form and legality. If the Attorney General approves it, he shall transmit it to the Director of the Division of the Federal Register, the National Archives. After determining that it conforms to the requirements of § 1.91 and is free from typographical or clerical error, the Director of the Division of the Federal

Register shall transmit it and three copies thereof to the President. If it is disapproved by the Director of the Bureau of the Budget or by the Attorney General, it shall not thereafter be presented to the President unless it is accompanied by a statement of the reasons for such disapproval.

§ 1.93 *Routing of originals and copies; seal.* If the order or proclamation is signed by the President, the original and two copies thereof shall be forwarded to the Director of the Division of the Federal Register for appropriate action in conformity with the provisions of the Federal Register Act: *Provided*, that the seal of the United States shall be affixed, pursuant to direction of the President, to the originals of all proclamations prior to such forwarding.

§ 1.94 *Numbering and certification.* The Division of the Federal Register shall number chronologically all Executive orders and proclamations and shall cause to be placed upon the copies thereof the following notation, to be signed by the Director or by some person authorized by him: "Certified to be a true copy of the original"

§ 1.95 *Disposition of originals.* The Division of the Federal Register from

time to time shall file in the National Archives the originals of all Executive orders and proclamations.

§ 1.96 *Publication and distribution.* The Division of the Federal Register shall publish currently in the FEDERAL REGISTER all Executive orders and proclamations and shall supervise the promulgation and distribution thereof.

§ 1.97 *Proclamations of treaties excluded.* Consonant with the provisions of section 12 of the Federal Register Act (49 Stat. 503; 44 U. S. C. 312), nothing in this chapter shall be construed to apply to treaties, conventions, protocols, or other international agreements, or proclamations thereof by the President.

2. This order shall become effective upon publication in the FEDERAL REGISTER, and shall thereupon supersede Executive Order No. 7298 of February 18, 1936, entitled "Regulations Governing the Preparation, Presentation, Filing, and Distribution of Executive Orders and Proclamations"

HARRY S. TRULIAN

THE WHITE HOUSE,
October 9, 1948.

[F. R. Doc. 48-3685; Filed, Oct. 11, 1948; 10:17 a. m.]

RULES AND REGULATIONS

TITLE 1—GENERAL PROVISIONS

Chapter I—Administrative Committee of the Federal Register

REVISION OF CHAPTER

Effective upon publication in the Federal Register, Chapter I, Title 1, Code of Federal Regulations, is revised to read as follows:

PART 1—FEDERAL REGISTER

SUBPART A—DEFINITIONS

- Sec.
- 1.1 Meaning of terms.
 - 1.2 Act.
 - 1.3 Administrative Committee.
 - 1.4 Administrative Procedure Act.
 - 1.5 Agency.
 - 1.6 Code.
 - 1.7 Director.
 - 1.8 Division.
 - 1.9 Document.
 - 1.10 Document subject to codification.
 - 1.11 Federal Register.
 - 1.12 Person.
 - 1.13 Publication day.
 - 1.14 Working day.

SUBPART B—AGENCY REPRESENTATIVES

- 1.21 Designation.
- 1.22 Notification of designation.

SUBPART C—DOCUMENTS REQUIRED OR AUTHORIZED TO BE FILED AND PUBLISHED

- 1.31 Proclamations and Executive orders.
- 1.32 Documents having general applicability and legal effect.
- 1.33 Classes created by act of Congress.
- 1.34 Notification of expiration of codified material.
- 1.35 Documents of public interest.

SUBPART D—ORDER OF PUBLICATION IN THE FEDERAL REGISTER

- Sec.
- 1.41 General.
 - 1.42 The President.
 - 1.43 Rules and Regulations.
 - 1.44 Proposed Rule Making.
 - 1.45 Notices.

SUBPART E—CITATION OF FEDERAL REGISTER AND CODE

- 1.51 Federal Register.
- 1.52 Code of Federal Regulations, 1949 Edition.
- 1.53 Code of Federal Regulations, 1933 edition and supplements.

SUBPART F—PROVISIONS APPLICABLE TO ALL DOCUMENTS

ORIGINAL AND COPIES

- 1.61 Original and three certified copies required.
- 1.62 Letter form.
- 1.63 Typewritten originals.
- 1.64 Printed originals.
- 1.65 Mimeographed or otherwise reproduced originals.
- 1.66 Certified copies.
- 1.67 Form of certification.
- 1.68 Signature.
- 1.69 Seal.

STYLE

- 1.71 Punctuation, capitalization, orthography.
- 1.72 Geographic names.
- 1.73 Descriptions of tracts of land.

ILLUSTRATIONS, TABULAR MATERIAL, AND FORMS

- 1.81 Illustrations and tabular material.
- 1.82 Forms.

SUBPART G—PREPARATION, PRESENTATION, FILING, AND PUBLICATION OF EXECUTIVE ORDERS AND PROCLAMATIONS

- 1.91 Form
- 1.92 Routing and approval of drafts.

- Sec.
 1.93 Routing of originals and copies; seal.
 1.94 Numbering and certification.
 1.95 Disposition of originals.
 1.96 Publication and distribution.
 1.97 Proclamations of treaties excluded.

**SUBPART H—PREPARATION OF DOCUMENTS
 SUBJECT TO CODIFICATION**

1.101 General provisions.

CODE STRUCTURE

- 1.102 Titles.
 1.103 Chapters.
 1.104 Parts.
 1.105 Sections.
 1.106 Subtitles.
 1.107 Subchapters.
 1.108 Subparts and undesignated center heads.

NORMAL NUMBERING

- 1.111 Titles.
 1.112 Chapters.
 1.113 Parts.
 1.114 Sections.
 1.115 Subdivisions of sections.
 1.116 Subtitles, subchapters, and subparts.
 1.117 Reservation of numbers.

SPECIAL NUMBERING PROBLEMS.

- 1.121 Addition of new units between existing units.
 1.122 Vacated numbers.
 1.123 Keying to agency numbering systems.
 1.124 Statements of general policy; interpretations.

HEADINGS

- 1.131 Required code headnotes.
 1.132 Additional caption.
 1.133 Tables of contents.
 1.134 Composition of part headnotes.
 1.135 Composition of section headnotes.

AMENDMENTS

- 1.139 General requirements.

REFERENCES

- 1.141 General requirements.
 1.142 References to Federal Register.
 1.143 References between titles of 1949 edition of Code.
 1.144 References within a title of 1949 edition of Code.
 1.145 Parallel citation of Federal Register and 1949 edition of Code.
 1.146 References to 1938 edition of Code and supplements.

SUBPART I—CITATIONS OF AUTHORITY

- 1.151 General requirements.

FORM OF STATUTORY CITATIONS

- 1.156 Statutes at Large.
 1.157 Public Laws.
 1.158 United States Code.

FORM OF NON-STATUTORY CITATIONS

- 1.161 Proclamations and Executive orders.
STATUTES INTERPRETED OR APPLIED

- 1.166 Required citation.
 1.167 Form of combined citation.

PLACEMENT

- 1.171 Individual citations.
 1.172 Blanket citations.

**SUBPART J—PREPARATION OF DOCUMENTS NOT
 SUBJECT TO CODIFICATION**

NOTICES IN GENERAL

- 1.181 General requirements.
 1.182 Name of issuing agency.
 1.183 Name of agency subdivision.
 1.184 Agency document designation.
 1.185 Short title and additional headnote.
 1.186 Authority citation.

NOTICES OF PROPOSED RULE MAKING

- Sec.
 1.191 General requirements.
 1.192 Code designation.
 1.193 Codification.

SUBPART K—TRANSMITTAL OF DOCUMENTS

- 1.201 Letter of transmittal.
 1.202 Categories.

**SUBPART L—TIME REQUIREMENTS FOR
 PUBLICATION**

- 1.211 Submission.
 1.212 Receipt.
 1.213 Filing.
 1.214 Publication.

SUBPART M—INDEXES

- 1.221 Indexes.
 1.222 Codification Guide.

**SUBPART N—DISTRIBUTION OF FEDERAL
 REGISTER**

- 1.231 General distribution.
 1.232 Distribution to the Congress.
 1.233 Distribution to Federal agencies.
 1.234 Extra copies.
 1.235 Subscriptions and sale.

AUTHORITY: §§ 1.1 to 1.82 and §§ 1.101 to 1.235 issued under sec. 6, 49 Stat. 501; 44 U. S. C. 306. Statutes applied are cited to text in parentheses.

SUBPART A—DEFINITIONS

§ 1.1 *Meaning of terms.* As used in this chapter, unless the context otherwise requires, terms shall have the meanings ascribed in this subpart.

§ 1.2 *Act.* "Act" means the Federal Register Act, approved July 26, 1935, as amended by the act of June 19, 1937, the act of December 10, 1942, and Joint Resolution of July 25, 1947 (49 Stat. 500, 50 Stat. 304, sec. 202, 53 Stat. 1435, 56 Stat. 1045, 61 Stat. 451, 44 U. S. C. and Sup., Chapter 8B)

§ 1.3 *Administrative Committee.* "Administrative Committee" means the Administrative Committee of the Federal Register established under section 6 of the act.

§ 1.4 *Administrative Procedure Act.* "Administrative Procedure Act" means the Administrative Procedure Act, approved June 11, 1946 (60 Stat. 237; 5 U. S. C. 1001 et seq.)

§ 1.5 *Agency.* "Agency" means each authority, whether or not within or subject to review by another agency, of the Government of the United States other than Congress, the courts, or the governments of the possessions, Territories, or the District of Columbia.

§ 1.6 *Code.* "Code" means the Code of Federal Regulations of the United States of America prepared and published by the Division pursuant to section 11 of the act, as amended.

§ 1.7 *Director.* "Director" means the Director of the Division of the Federal Register, the National Archives.

§ 1.8 *Division.* "Division" means the Division of the Federal Register, the National Archives.

§ 1.9 *Document.* "Document" means any Presidential proclamation or Executive order, and any rule, regulation, order, certificate, code of fair competition, license, notice, or similar instrument

issued, prescribed, or promulgated by an agency.

§ 1.10 *Document subject to codification.* "Document subject to codification" means any regulatory document which has general applicability and legal effect and which is in force and effect and relied upon by the issuing agency as authority for, or invoked or used in the discharge of, any of its functions or activities.

§ 1.11 *Federal Register.* "Federal Register" means the daily issue of the Federal Register.

§ 1.12 *Person.* "Person" means any individual, partnership, association, or corporation.

§ 1.13 *Publication day.* "Publication day" means the day designated by the date line of the Federal Register in which a document is published. The Federal Register is published Tuesday through Saturday of each week, excepting any day which immediately follows an official Federal holiday.

§ 1.14 *Working day.* "Working day" means 8:45 a. m. to 5:15 p. m., Monday through Friday of each week, excepting official Federal holidays.

SUBPART B—AGENCY REPRESENTATIVES

§ 1.21 *Designation.* Every agency shall designate the following responsible representatives:

(a) *Liaison Officer.* Liaison officer, and an alternate, to act as the representative of the agency in all matters concerning the submission of documents required to be filed in the office of the Director and to see that the regulations in this chapter are understood and complied with.

(b) *Certifying Officer.* Certifying officer, and an alternate, to certify the copies of all documents required to be filed in the office of the Director.

(c) *Authorizing Officer.* Authorizing officer, and an alternate, to authorize the placement of the names of individuals and offices on the mailing list to receive, for official use only, the Federal Register, the Code of Federal Regulations, and the United States Government Organization Manual.

§ 1.22 *Notification of designation.* Every agency shall notify the Director in writing of the name, title, address, and telephone extension of the agency representatives designated. Whenever a change of representatives is made by an agency, prompt notification thereof shall be given in writing to the Director.

SUBPART C—DOCUMENTS REQUIRED OR AUTHORIZED TO BE FILED AND PUBLISHED

§ 1.31 *Proclamations and Executive orders.* All Presidential proclamations and Executive orders in the numbered series, and all other documents which the President submits for publication or orders to be published, shall be filed in the office of the Director and published in the Federal Register. (Applies sec. 5 (b), 49 Stat. 501, 44 U. S. C. 305 (b))

§ 1.32 *Documents having general applicability and legal effect.* Every document, issued under proper authority, prescribing a penalty or a course of conduct,

conferring a right, privilege, authority or immunity, or imposing an obligation, and relevant or applicable to the general public, the members of a class or the persons of a locality, as distinguished from named individuals or organizations, is hereby determined to have general applicability and legal effect. Such documents shall be filed in the office of the Director and published in the Federal Register. (Applies sec. 5 (a) (2) 49 Stat. 501, 44 U. S. C. 305 (a) (2))

§ 1.33 *Classes created by act of Congress.* Such documents or classes of documents as are required so to be published by act of Congress shall be filed in the office of the Director and published in the Federal Register.

§ 1.34 *Notification of expiration of codified material.* Whenever a document subject to codification expires after a specified period by its own terms or by operation of law, notification by document of such expiration shall be filed in the office of the Director and published in the Federal Register.

§ 1.35 *Documents of public interest.* Other documents which in the opinion of the Director are of sufficient public interest to warrant such publication may be filed in the office of the Director and published in the Federal Register. (Applies sec. 5 (b) 49 Stat. 501, 44 U. S. C. 305 (b))

SUBPART D—ORDER OF PUBLICATION IN THE FEDERAL REGISTER

§ 1.41 *General.* Documents published in the Federal Register shall be arranged under four principal headings in the following order:

The President.
Rules and Regulations.
Proposed Rule Making.
Notices.

§ 1.42 *The President.* There shall be published under this heading all Executive orders and Proclamations in the numbered series, and all other Presidential documents which the President submits for publication or orders to be published.

§ 1.43 *Rules and Regulations.* There shall be published under this heading all documents subject to codification.

§ 1.44 *Proposed Rule Making.* There shall be published under this heading all general notices of proposed rule making submitted pursuant to section 4 (a) of the Administrative Procedure Act.

§ 1.45 *Notices.* There shall be published under this heading all documents not falling within the provisions of §§ 1.42 to 1.44. These documents include:

(a) Under section 3 (a) (1) of the Administrative Procedure Act, current amendments to the separate descriptions of agency organization including delegations by the agency of final authority and the established places at which, and methods whereby, the public may secure information or make submittals or requests.

(b) Notices of hearings not submitted under section 4 (a) of the Administrative Procedure Act.

(c) Documents which in the opinion of the Director are of sufficient public interest to warrant publication. (See § 1.35).

(d) Miscellaneous documents not subject to codification.

SUBPART E—CITATION OF FEDERAL REGISTER AND CODE

§ 1.51 *Federal Register.* Without prejudice to any other mode of citation, the contents of the Federal Register may be cited by volume and page number. The approved short form is "F. R." Thus "13 F. R. 1248" refers to material beginning on page 1248 of volume 13 of the daily issues.

§ 1.52 *Code of Federal Regulations, 1949 Edition.* The 1949 edition of the Code shall be cited "CFR." Thus the citation "1 CFR 1.1" refers to § 1.1 of Title 1.

§ 1.53 *Code of Federal Regulations, 1938 edition and supplements.* Reference shall be made to the 1938 edition of the Code and supplements thereto only when the material to which reference is made is not included in the 1949 edition. Such references shall be in the following forms:

1 CFR, 1938 ed., 1.1.
1 CFR, 1943 Cum. Supp., 2.1.
1 CFR, 1946 Supp., 2.1.

SUBPART F—PROVISIONS APPLICABLE TO ALL DOCUMENTS ORIGINAL AND COPIES

§ 1.61 *Original and three certified copies required.* An original and three certified copies of all documents required or authorized to be filed and published shall be transmitted to the office of the Director for purposes of filing and publication in the Federal Register: *Provided*, that, in the case of documents issued outside the District of Columbia, a confirmed copy may be filed in lieu of the original. One receipted copy shall be returned to the issuing agency.

§ 1.62 *Letter form.* No documents in the form of letters, except those issued by the President, shall be accepted by the Division.

§ 1.63 *Typewritten originals.* All documents shall be typewritten on white bond paper approximately 8 by 12½ inches, shall have a left-hand margin of approximately 1½ inches, and a right-hand margin of approximately 1 inch, and shall be double-spaced.

§ 1.64 *Printed originals.* Where it is the practice of an agency to cause the originals of its documents to be put in print before they are signed, such printed originals and duplicates thereof may be submitted if the style and form have been approved by the Director.

§ 1.65 *Mimeographed or otherwise reproduced originals.* When it is desired to submit mimeographs or other reproductions as original documents, written approval shall first be obtained from the Director. Such mimeographs or other reproductions shall be on white bond paper and shall be completely legible. The Director may refuse to accept unsatisfactory reproductions. Under no

circumstances shall photostatic copies be accepted as original documents.

§ 1.66 *Certified copies.* The three certified copies required under § 1.61 shall be attached to the original of all documents. All copies shall be entirely clear and legible. Copies of typewritten originals shall consist of either positive photostats on paper of a matte surface, or the first three carbon copies of the ribbon original. Where a printed, mimeographed or otherwise reproduced original is used, copies shall be as clear and legible in all respects as the original. The time of filing and publication shall be governed by the time when clear and legible copies are submitted.

§ 1.67 *Form of certification.* The copies of all documents required to be filed in the office of the Director, except documents issued by the President, shall be certified substantially as follows: "Certified to be a true copy of the original" Each such certification shall be signed by the certifying officer designated pursuant to § 1.21 (b).

§ 1.68 *Signature.* All documents shall be signed in ink. Initials and impressed signatures shall not be acceptable. The name and title of the official signing the document shall be typed beneath his signature.

§ 1.69 *Seal.* There shall be affixed to the original and certified copies of all documents submitted for filing in the office of the Director, the seal, if any, of the agency issuing the documents.

STYLE

§ 1.71 *Punctuation, capitalization, orthography.* Punctuation, capitalization, orthography, and other matters of style shall conform in general to the most recent edition of the Style Manual of the United States Government Printing Office.

§ 1.72 *Geographic names.* The spelling of geographic names shall conform to the most recent official decisions of the Board on Geographic Names established pursuant to the act of July 25, 1947 (61 Stat. 456; 43 U. S. C. 364 et seq.)

§ 1.73 *Descriptions of tracts of land.* Descriptions of tracts of land shall conform, so far as practicable, with the most recent edition of the "Specifications for Descriptions of Tracts of Land for Use in Executive Orders and Proclamations," published under the supervision of the Director of the Bureau of the Budget.

ILLUSTRATIONS, TABULAR MATERIAL, AND FORMS

§ 1.81 *Illustrations and tabular material.* Whenever possible documents should be so drafted as to make the inclusion of illustrations and tabular material unnecessary. If their inclusion cannot be avoided the following provisions shall apply:

(a) *Illustrations.* The original drawings of all maps, charts, graphs, or other illustrations shall be submitted to the Division at least six working days before the date on which publication is desired. A legible reproduction of the original drawing, reduced to a size not greater than 8 by 12½ inches, shall appear as

part of the original document and the three certified copies.

(b) *Tabular material.* Tabular material comprising more than two legal size typewritten pages must be forwarded to the Division at least six working days before the date on which publication is desired.

§ 1.82 *Forms.* Tabulated blank forms for application, registration, reports, contracts, and the like, and the instructions for preparing such forms shall not be published in full. In lieu thereof there shall be submitted for publication a simple statement of the function of the form and as to where copies may be obtained.

SUBPART G—PREPARATION, PRESENTATION, FILING, AND PUBLICATION OF EXECUTIVE ORDERS AND PROCLAMATIONS

NOTE: The text of §§ 1.91 to 1.97 is reprinted from E. O. 10006, *supra*.

§ 1.91 *Form.* Proposed Executive orders and proclamations shall be prepared in accordance with the following requirements:

(a) The order or proclamation shall be given a suitable title.

(b) The authority under which the order or proclamation is issued shall be cited in the body thereof.

(c) Punctuation, capitalization, orthography, and other matters of style shall, in general, conform to the most recent edition of the Style Manual of the United States Government Printing Office.

(d) The spelling of geographic names shall conform to the most recent official decisions of the Board on Geographic Names established pursuant to the act of July 25, 1947, 61 Stat. 456 (43 U. S. C. 364 et seq.)

(e) Descriptions of tracts of land shall conform, so far as practicable, to the most recent edition of the "Specifications for Descriptions of Tracts of Land for Use in Executive Orders and Proclamations" published by, or under the direction of, the Director of the Bureau of the Budget.

(f) Proposed Executive orders and proclamations shall be typewritten on paper approximately 8 by 12½ inches, shall have a left-hand margin of approximately 1½ inches and a right-hand margin of approximately 1 inch, and shall be double-spaced, except that quotations, tabulations, and descriptions of land may be single-spaced.

§ 1.92 *Routing and approval of drafts.* A proposed Executive order or proclamation shall first be submitted, with seven copies thereof, to the Director of the Bureau of the Budget. If the Director of the Bureau of the Budget approves it, he shall transmit it to the Attorney General for his consideration as to both form and legality. If the Attorney General approves it, he shall transmit it to the Director of the Division of the Federal Register, the National Archives. After determining that it conforms to the requirements of § 1.91, and is free from typographical or clerical error, the Director of the Division of the Federal Register shall transmit it and three copies thereof to the President. If it is disapproved by the Director of the

Bureau of the Budget or by the Attorney General, it shall not thereafter be presented to the President unless it is accompanied by a statement of the reasons for such disapproval.

§ 1.93 *Routing of originals and copies; seal.* If the order or proclamation is signed by the President, the original and two copies thereof shall be forwarded to the Director of the Division of the Federal Register for appropriate action in conformity with the provisions of the Federal Register Act: *Provided*, that the seal of the United States shall be affixed, pursuant to direction of the President, to the originals of all proclamations prior to such forwarding.

§ 1.94 *Numbering and certification.* The Division of the Federal Register shall number chronologically all Executive orders and proclamations and shall cause to be placed upon the copies thereof the following notation, to be signed by the Director or by some person authorized by him: "Certified to be a true copy of the original."

§ 1.95 *Disposition of originals.* The Division of the Federal Register from time to time shall file in the National Archives the originals of all Executive orders and proclamations.

§ 1.96 *Publication and distribution.* The Division of the Federal Register shall publish currently in the Federal Register all Executive orders and proclamations and shall supervise the promulgation and distribution thereof.

§ 1.97 *Proclamations of treaties excluded.* Consonant with the provisions of section 12 of the Federal Register Act (49 Stat. 503; 44 U. S. C. 312) nothing in this chapter shall be construed to apply to treaties, conventions, protocols, or other international agreements, or proclamations thereof by the President.

SUBPART H—PREPARATION OF DOCUMENTS SUBJECT TO CODIFICATION

§ 1.101 *General provisions.* All documents subject to codification, except Presidential documents, shall be prepared in accordance with the provisions of this subpart and of Subparts F and I before submission to the Division.

CODE STRUCTURE

§ 1.102 *Titles.* The major divisions of the code are 50 functional titles.

§ 1.103 *Chapters.* The normal divisions of titles are chapters, which are assigned to the various agencies within titles descriptive of the subject matter covered by the agencies' rules and regulations.

§ 1.104 *Parts.* The normal divisions of chapters are parts. A part should consist of a unified body of rules or regulations applying to a specific function of the issuing agency or devoted to specific subject matter under control of the issuing agency. Parts are normally assigned to chapters as follows: Chapter I, Parts 1 to 199; Chapter II, Parts 200 to 299; Chapter III, Parts 300 to 399; etc.

§ 1.105 *Sections.* The normal divisions of parts are sections. The section is the basic unit of the code. It should

consist of a short, simple presentation of one principal thought. The sections in a properly drafted rule usually do not require further subdivision.

§ 1.106 *Subtitles.* Subtitles may be used to distinguish between material emanating from an over-all office or agency and the material issued by its various components. Subtitles may also be used to otherwise group chapters within a title.

§ 1.107 *Subchapters.* Subchapters may be used to group related parts within a chapter.

§ 1.108 *Subparts and undesignated center heads.* Subparts or undesignated center heads may be used to group related sections within a part. Undesignated center heads may also be used to group sections within a subpart.

NORMAL NUMBERING

§ 1.111 *Titles.* Titles are numbered consecutively in Arabic throughout the Code.

§ 1.112 *Chapters.* Chapters are numbered consecutively in Roman capitals throughout each title.

§ 1.113 *Parts.* Parts are numbered in Arabic throughout each title.

§ 1.114 *Sections.* Sections are numbered in Arabic throughout each part. A section number shall include the number of the part set off by a decimal point. Thus, the section number to be given section 15 within Part 30 would be § 30.15.

§ 1.115 *Subdivisions of sections.* Properly drafted sections should be brief and usually should not require internal divisions. Where internal divisions are unavoidable, sections shall be subdivided into paragraphs, paragraphs into subparagraphs, and subparagraphs into subdivisions designated as follows:

Terminology	Illustrative symbol
Paragraph	(a)
Subparagraph	(1)
Subdivision	(i)

§ 1.116 *Subtitles, subchapters, and subparts.* Subtitles and subchapters are lettered consecutively in capitals throughout the title and the chapter respectively. Subparts may be lettered in capitals or may be undesignated.

§ 1.117 *Reservation of numbers.* Where related parts or related sections are grouped under a head as provided for in §§ 1.107 and 1.108, unused numbers shall be reserved at the end of each group.

SPECIAL NUMBERING PROBLEMS

§ 1.121 *Addition of new units between existing units.* If it becomes necessary to introduce a new part or section between existing parts or sections the new part or section shall be designated by the addition of a lower-case letter to the preceding part or section number. Thus, a part introduced between Parts 31 and 32 would be numbered Part 31a, and a section introduced between § 31.1 and § 31.2 would be numbered § 31.1a. If it becomes necessary to introduce a unit smaller than a section between existing units, the entire section should be revised.

§ 1.122 *Vacated numbers.* When a number is vacated by a revocation, the remaining elements in the over-all unit should retain their old numbers until the over-all unit is completely revised.

§ 1.123 *Keying to agency numbering systems.* The keying of the serial numbers following the decimal point to make them correspond to particular numbering systems in use by the agency shall be permitted only when, in the opinion of the Director, the keying will be of benefit both to the agency and to the public. In all cases written approval for the use of keying systems shall be obtained from the Director.

§ 1.124 *Statements of general policy; interpretations.* Where a statement of general policy or interpretation, submitted pursuant to section 3 (a) (3) of the Administrative Procedure Act, applies to an entire part it should be included in, or appended to, that part. Similarly, where a statement of policy or interpretation applies to a specific section it should be appended to that section. Statements of policy and interpretations of broader scope should be assigned to a part or group of parts within the chapter affected. All statements and interpretations should be numbered in a manner conducive to facility of citation and amendment.

HEADINGS

§ 1.131 *Required code headnotes.* The proper title, chapter, and part designation, in that order, shall be set forth in full on separate lines at the beginning of each document. Subtitle, subchapter and subpart designations shall also be set forth if used. Agencies using regulation numbers or other identifying symbols shall place them in brackets centered immediately above the part designation.

§ 1.132 *Additional caption.* For the purpose of publication in the daily Federal Register, a brief caption more specifically setting forth the scope of a document constituting a partial amendment of the material within a part shall be provided immediately below the part headnote.

§ 1.133 *Tables of contents.* Tables of contents shall be used when a new part is introduced or an existing part is completely revised and when a group of sections is revised or added and set forth as a subpart or otherwise separately grouped under a centerhead. These tables shall be set forth preceding the text of the rules or regulations and shall list the headnotes for the sections to which they are applicable.

§ 1.134 *Composition of part headnotes.* A part headnote should indicate briefly the general subject matter of the material appearing in the part. The use of phrases such as "Regulations under the act of July 26, 1935" or other expressions which are not descriptive of the subject matter should be avoided. Part headnotes should not be introduced by such expressions as "Regulations governing" or "Rules applicable to." The following are examples of appropriate part headnotes:

PART 1—PRACTICE BEFORE THE COMMISSION PART 256—RIGHTS-OF-WAY OVER INDIAN LANES

PART 301—INSURANCE OF ACCOUNTS

§ 1.135 *Composition of section headnotes.* All sections shall be given headnotes. Each section headnote shall briefly describe the contents of the section.

AMENDMENTS

§ 1.139 *General requirements.* There shall be included in all amendatory documents a statement particularizing the nature and extent of the changes made, and the full text of the code unit as amended. Where the document amends more than one section, each statement of particulars shall be separate and shall be numbered serially in Arabic.

REFERENCES

§ 1.141 *General requirements.* All references to the Code shall be in terms of the specific titles, parts, and sections involved. Ambiguous references such as "herein", "above", "below", "these regulations" and the like shall not be used. All documents which contain reference to material published in the Code or in the Federal Register shall include, following such reference, the Code and Federal Register citation where both are available.

§ 1.142 *References to Federal Register.* The contents of the Federal Register should be referred to by volume and page number. Thus material beginning on page 1248 of volume 13 should be cited: 13 F. R. 1248.

§ 1.143 *References between titles of 1949 edition of Code.* When referring to material codified in the 1949 Edition of the Code under a title other than that in which the reference is made, the short form of citation shall be used. Thus a reference made within Title 3 to § 1.1 of Title 1 shall be in the following form: 1 CFR 1.1.

§ 1.144 *References within a title of 1949 edition of Code.* When reference is made to material codified in the same title the following forms shall be used:

Chapter II of this title.
Part 30 of this title.
§ 30.19 of this title.

When reference is to material codified in the same chapter the following forms shall be used:

Part 30 of this chapter.
§ 30.19 of this chapter.

However, references to units within the same part should not include the phrase "of this part."

§ 1.145 *Parallel citation of Federal Register and 1949 edition of Code.* When reference is made to a document amending the 1949 edition of the Code, the Code and the Federal Register citation shall be provided in the following form:

1 CFR 1.1 (14 F. R. 2001)
or
§ 30.19 of this chapter (14 F. R. 431).

§ 1.146 *References to 1938 edition of Code and supplements.* Reference shall be made to the 1938 edition of the Code and supplements thereto only when the

material to which reference is made is not included in the 1949 edition of the Code. Such references shall be in the following forms:

1 CFA, 1938 ed., 1.1.
1 CFR, 1943 Cum. Supp., 2.1.
1 CFR, 1946 Supp., 2.1.

SUBPART I—CITATIONS OF AUTHORITY

§ 1.151 *General requirements.* There shall be cited for all rules and regulations the specific rule-making authority, statutory or otherwise, under which they are issued. These citations shall be carried at the end of completed sections or as a blanket citation. Together with the citation of authority, there shall be cited specific statutory provisions which are interpreted or applied.

FORM OF STATUTORY CITATIONS

§ 1.156 *Statutes at Large.* In a citation to the Statutes at Large the exact page on which the language referred to begins shall be given. The number of the section in which the language appears also shall be given. The popular name, title, or short title of the act shall not be included. Thus a typical citation would read:

Sec. 6, 49 Stat. 501.

§ 1.157 *Public Laws.* Acts of Congress shall not be cited by public law number after such acts have been published in the Statutes at Large. When citation by Public Law number is necessary, it shall be made in the following form:

Sec. 104 (f), Pub. Law 472, 80th Cong.

§ 1.158 *United States Code.* The statutory citation shall be followed by the parallel United States Code citation wherever possible. In citing the United States Code, citations of titles and sections shall be as follows:

44 U. S. C. 306.

Thus a typical full citation would read:

Sec. 6, 49 Stat. 501; 44 U. S. C. 306.

FORM OF NON-STATUTORY CITATIONS

§ 1.161 *Proclamations and Executive orders.* Where the specific rule-making authority for the issuance of rules or regulations is contained in a Presidential proclamation or Executive order, citations to the Presidential documents shall be in the following form:

Executive orders... E. O. 9839, Feb. 24, 1947,
12 F. R. 1253; 3 CFR,
1947 Supp.
Proclamations... Proc. 2523, Nov. 14, 1941,
6 F. R. 5321; 3 CFR, 1943
Cum. Supp.

In cases in which a statutory authority is coupled with authority other than statutory, the statutory authority shall always take precedence, for example:

Sec. 3, 40 Stat. 432; 5 U. S. C. 643. E. O. 8017, Jan. 12, 1942, 7 F. R. 237; 3 CFR, 1943 Cum. Supp.

STATUTES INTERPRETED OR APPLIED

§ 1.166 *Required citation.* Whenever in addition to the statutory authority delegating specific rule-making power, it is possible to cite specific sections of statutes interpreted or applied by the rules and regulations, such citation shall be included.

§ 1.167 *Form of combined citation.* The citation of statutes interpreted or applied shall immediately follow the citation of rule-making authority. The form of such combined citations is as follows:

Sec. 27, 36 Stat. 892; 8 U. S. C. 102. Applies sec. 18, 39 Stat. 887; 8 U. S. C. 154.

PLACEMENT

§ 1.171 *Individual citations.* The citation of specific rule-making authority shall be carried in parentheses at the end of each completed section in the forms prescribed in §§ 1.156 to 1.167.

§ 1.172 *Blanket citations.* Blanket citations shall be used for groups of three or more complete consecutive sections issued under identical specific rule-making authority. Such citations shall be inserted immediately preceding the first section in the group which the citation covers, and shall be in the following form:

AUTHORITY: §§ — to — issued under sec. 6, 49 Stat. 501; 44 U. S. C. 306.

AUTHORITY: §§ — to — issued under sec. 6, 49 Stat. 501; 44 U. S. C. 306. Statutes interpreted or applied and statutes giving special authority are cited to text in parentheses.

AUTHORITY: §§ — to — issued under sec. 6, 49 Stat. 501; 44 U. S. C. 306. Statutes interpreted or applied and statutes giving special authority are cited to text in parentheses.

SUBPART J—PREPARATION OF DOCUMENTS NOT SUBJECT TO CODIFICATION

NOTICES IN GENERAL

§ 1.181 *General requirements.* Documents not subject to codification shall, after conformation with the provisions of Subpart F be further prepared in accordance with the provisions of this subpart.

§ 1.182 *Name of issuing agency.* The name of the issuing agency shall be carried at the beginning of the document.

§ 1.183 *Name of agency subdivision.* Whenever a document is issued by or for a specific bureau or similar unit within a Department or over-all agency, the name of such bureau or similar unit shall be carried on a separate line immediately below the name of the issuing agency.

§ 1.184 *Agency document designation.* Agencies using file numbers, docket numbers, or similar identifying symbols, shall place them in brackets on a separate line immediately following the headings required by §§ 1.182 and 1.183.

§ 1.185 *Short title and additional headnote.* A suitable short title shall be provided beginning on a separate line immediately following the other required heading or headings. In addition to the short title, the submitting agency shall include, wherever practicable, a brief headnote or similar indicia of contents, briefly summarizing or otherwise setting forth the scope of the document.

§ 1.186 *Authority citation.* The specific authority under which the document is issued should be cited in the body thereof. Reference to statutes constituting the authority for a document should not be carried in the short title or in the headnote. For form of citations in general, see §§ 1.156 to 1.161.

NOTICES OF PROPOSED RULE MAKING

§ 1.191 *General requirements.* Notices of proposed rule making required by section 4 (a) of the Administrative Procedure Act shall include a statement of the time, place, and nature of public rule-making proceedings; reference to the authority under which the rule is proposed; and either the terms or substance of the proposed rule or a description of the subjects and issues involved. Such notices shall conform to the provisions of Subpart F and of this subpart.

§ 1.192 *Code designation.* If the notice of proposed rule making contemplates the adoption of a document subject to codification, the code title and part involved shall be carried in brackets immediately below the name of the issuing agency.

§ 1.193 *Codification.* Any portion of a proposed rule making document which consists of the full text of a proposed rule shall conform to the provisions of Subparts H and I.

SUBPART K—TRANSMITTAL OF DOCUMENTS

§ 1.201 *Letter of transmittal.* Accompanying each document submitted there shall be a letter of transmittal addressed to the Director. There shall be set forth in this letter the specific identification of the document, the desired publication date, and the category in which the document is considered to fall.

§ 1.202 *Categories.* For purposes of transmittal to the Division, documents should be placed in one of the following categories:

Category 1—Document subject to codification (See § 1.10).

Category 2—Notice of proposed rule making (See § 1.44).

Category 3—Description of agency organization (See § 1.45 (a)).

Category 4—Notices (See § 1.45 (b), (c), (d)).

SUBPART L—TIME REQUIREMENTS FOR PUBLICATION

§ 1.211 *Submission.* All documents authorized or required to be filed in the office of the Director and published in the Federal Register, except documents issued by the President, documents submitted under special preprint agreements, and certain documents containing illustrations or tabular material, shall be submitted three working days before the date on which publication is desired.

CROSS REFERENCE: For additional time requirements governing submission of illustrations and tabular material, see § 1.81. See also § 1.66 with respect to delay occasioned by illegible copies.

§ 1.212 *Receipt.* Documents shall be received only during a working day.

§ 1.213 *Filing.* All documents submitted in accordance with § 1.211 shall be held for confidential processing, including typesetting, for one full working day after submission, and shall then be filed by the Division for public inspection at or before noon of the working day immediately preceding the publication day thereof. Immediately upon filing there shall be placed upon the original

and certified copies of all documents the day and hour on which they are made available for public inspection. (Applies sec. 3, 49 Stat. 500; 44 U. S. C. 303)

§ 1.214 *Publication.* The Federal Register shall be published daily, Tuesday through Saturday of each week, excepting any day which immediately follows an official Federal holiday. The normal schedule of publication shall be as follows:

Submitted	Filed	Published
Monday-----	Wednesday----	Thursday.
Tuesday-----	Thursday-----	Friday.
Wednesday-----	Friday-----	Saturday.
Thursday-----	Monday-----	Tuesday.
Friday-----	Tuesday-----	Wednesday.

SUBPART M—INDEXES

§ 1.221 *Indexes.* The contents of the Federal Register shall be separately indexed as follows: monthly for the months of January, February, April, May, July, August, October, November, and December; quarterly for the quarters ending in March, June, and September; and annually for the calendar year.

§ 1.222 *Codification Guide.* A numerical list of the sections of the Code affected by the contents of the Federal Register shall be published in a Codification Guide which shall be distributed with the monthly, quarterly, and annual indexes.

SUBPART N—DISTRIBUTION OF FEDERAL REGISTER

§ 1.231 *General distribution.* The Government Printing Office shall make distribution of the Federal Register by delivery or by deposit at a post office at or before 9:00 a. m. of the publication day. (Applies sec. 3, 49 Stat. 500; 44 U. S. C. 303)

§ 1.232 *Distribution to the Congress.* Members of Congress shall be entitled to a maximum of 5 copies daily.

§ 1.233 *Distribution to Federal agencies.* The Federal Register shall be furnished without charge to officers and employees of the United States in such numbers as are needed for official use: *Provided,* That requests for placement upon the Federal Register mailing list shall be made in writing to the Director, and signed by the person in each department or agency who is authorized under § 1.21 (c) to state that the Federal Register is needed for official use.

§ 1.234 *Extra copies.* All requests for extra copies of particular issues of the Federal Register for official use shall be addressed to the Superintendent of Documents, Government Printing Office, Washington 25, D. C. Extra copies shall be paid for by the agency or official requesting them.

§ 1.235 *Subscriptions and sale.* The daily issues of the Federal Register shall be furnished to subscribers on a monthly or an annual basis, at a price to be determined by the Administrative Committee; the subscription price to be payable in advance to the Superintendent of Documents, Government Printing Office, Washington 25, D. C. Individual copies shall be obtainable from the Superintendent of Documents at a price deter-

mined by him. (Applies sec. 3, 49 Stat. 500; 44 U. S. C. 303)

NOTE: Current prices of the Federal Register are: \$1.50 a month; \$15.00 a year; individual copies fifteen cents or more depending upon the size of the issue.

PART 2—CODE OF FEDERAL REGULATIONS, 1949 EDITION

- Sec.
2.1 Editing and publication.
2.2 Scope.
2.3. Format.
2.4 Agency cooperation.
2.5 Distribution to Federal agencies.
2.6 Sale to public.

AUTHORITY: §§ 2.1 to 2.6 issued under sec. 11 (d), 50 Stat. 305; 44 U. S. C. 311 (d). §§ 2.1 to 2.4 apply E. O. 9930, Feb. 4, 1948, 13 F. R. 519.

§ 2.1 *Editing and publication.* The Division shall review the codifications of documents on file with the Administrative Committee on December 31, 1948, and shall revise and coordinate the form, style, and arrangement thereof so as to present a compact and practical code. The Division shall supervise the publication of this code in a special edition of the Federal Register dated January 1, 1949 and designated "Code of Federal Regulations, 1949 Edition."

§ 2.2 *Scope.* The 1949 Edition, among other things, shall contain the following:

(a) Under Title 2, a tabulation of citations of specific rule-making authority and citations of statutory provisions interpreted or applied, with parallel citations to the rules or regulations issued pursuant thereto and published in the 1949 Edition.

(b) Under Title 3, the full text of Presidential proclamations and Executive orders in the numbered series issued during the calendar year 1948, and a tabulation of all Presidential documents which are cited in the 1949 Edition.

(c) Under the appropriate titles, codifications of documents which have been fully promulgated on or before December 31, 1948, and which are in effect as to facts arising on or after January 1, 1949.

(d) Appropriate indexes and ancillaries.

§ 2.3 *Format.* The 1949 Edition shall be printed and bound in permanent form. As far as practicable, each title shall constitute a separate book. Each book shall include an index thereto, and a pocket for cumulative inserts covering documents promulgated on or after January 1, 1949. A general index to the entire edition shall be separately printed and bound and shall be provided with a pocket.

§ 2.4 *Agency cooperation.* Each agency shall cooperate with the Division in expediting work on the 1949 Edition by maintaining its codification on a current basis and by prompt compliance with publication deadlines set by the Division and the Government Printing Office.

§ 2.5 *Distribution to Federal agencies.* The 1949 Edition shall be furnished without charge to officers and employees of the United States in such numbers as are needed for official use: *Provided*, that requests for placement on the appropri-

ate mailing list shall be made in writing to the Director, and signed by the person in each department or agency who is authorized under § 1.21 (c) to state that the Code is needed for official use.

§ 2.6 *Sale to public.* The 1949 Edition shall be placed on sale to the public by the Superintendent of Documents, Government Printing Office, at a price to be determined by the Administrative Committee.

PART 3—UNITED STATES GOVERNMENT ORGANIZATION MANUAL

PUBLICATION AND FORMAT

- Sec.
3.1 Publication required.
3.2 Format and indexes.

SCOPE

- 3.6 Executive agencies.
3.7 Congress and the courts.
3.8 Supplementary material.

LIAISON OFFICERS

- 3.11 Designation of special officers.
3.12 Duties of regular officers.

MANNER OF COMPILATION

- 3.16 Preparation of digests.
3.17 Agency review of digests.
3.18 Other organization statements.
3.19 Apportionment of space.

FREE DISTRIBUTION

- 3.21 Distribution to Members of Congress.
3.22 Distribution to Congressional committees.
3.23 Executive branch.
3.24 Judicial branch.

PAID DISTRIBUTION

- 3.26 Agency requisitions.
3.27 Extra copies.
3.28 Sale to public.

AUTHORITY: §§ 3.1 to 3.28 issued under sec. 6, 49 Stat. 501; 44 U. S. C. 306.

PUBLICATION AND FORMAT

§ 3.1 *Publication required.* There shall be published, annually or at such times as may be determined by the Administrative Committee, a special edition of the Federal Register designated "United States Government Organization Manual."

§ 3.2 *Format and indexes.* The Manual shall be separately published in handbook form, with appropriate indexes and ancillaries.

SCOPE

§ 3.6 *Executive agencies.* The separate descriptions of agency organization required under section 3 (a) (1) of the Administrative Procedure Act to be published in the Federal Register shall be published in the Manual in digest form.

§ 3.7 *Congress and the courts.* Brief descriptions of the organization of Congress and of agencies of the legislative and judicial branches shall be published in the Manual.

§ 3.8 *Supplementary material.* Brief descriptions of the organization of quasi-official agencies and similar supplementary information may be included in the Manual if, in the opinion of the Director, the material is of sufficient public interest to warrant such inclusion.

LIAISON OFFICERS

§ 3.11 *Designation of special officers.* The Director shall request the agencies of the legislative and judicial branches and the quasi-official agencies represented in the Manual to designate special officers for the purpose of maintaining liaison with the Division.

§ 3.12 *Duties of regular officers.* Each liaison officer regularly designated under § 1.21 (a) of this chapter shall review for accuracy the digest of agency organization submitted pursuant to § 3.17, and shall cause to be supplied any supplementary information concerning his agency which is to be included pursuant to § 3.8.

MANNER OF COMPILATION

§ 3.16 *Preparation of digests.* The Division shall prepare an official digest of each separate statement of agency organization, including amendments thereto, which has been published in the Federal Register pursuant to section 3 (a) (1) of the Administrative Procedure Act.

§ 3.17 *Agency review of digests.* Each such official digest, together with related supplementary material, shall be submitted to the appropriate liaison officer for review as to accuracy. Changes in the official digest shall not be made unless they are based on a document published in the Federal Register before the cut-off date of the edition of the Manual in process.

§ 3.18 *Other organization statements.* Brief descriptions of the organization of agencies of the legislative and judicial branches and of quasi-official agencies shall be prepared and submitted to such agencies with a request that they be reviewed for accuracy.

§ 3.19 *Apportionment of space.* The Director shall determine the apportionment of space in the Manual with a view to maintaining balance and uniformity of presentation.

FREE DISTRIBUTION

§ 3.21 *Distribution to Members of Congress.* Each Member of Congress shall be entitled to two free copies of the Manual.

§ 3.22 *Distribution to Congressional committees.* Each Congressional committee shall be entitled to receive copies of the Manual without charge in such numbers as are needed for official use: *Provided*, that requests for placement on the Manual mailing list shall be made in writing to the Director and signed by the clerk of the committee.

§ 3.23 *Executive branch.* The head of each agency in the executive branch and each liaison officer designated under §§ 1.21 and 3.11 of this chapter shall be entitled to one free copy of the Manual.

§ 3.24 *Judicial branch.* The Supreme Court of the United States shall be entitled to 12 copies of the Manual without charge. The lower constitutional and legislative courts of the United States shall be entitled to one copy each of the Manual without charge upon application therefor in writing to the Director.

PAID DISTRIBUTION

§ 3.26 *Agency requisitions.* Each agency shall be entitled to obtain at cost copies of the Manual for official use upon the timely submission to the Government Printing Office of a proper printing and binding requisition.

§ 3.27 *Extra copies.* All requests for extra copies of the Manual shall be addressed to the Superintendent of Documents, Government Printing Office, Washington 25, D. C., and shall be paid for by the agency or official requesting them.

§ 3.28 *Sale to public.* The Manual shall be placed upon sale to the public by the Superintendent of Documents at a price to be determined by the Administrative Committee.

ADMINISTRATIVE COMMITTEE OF
THE FEDERAL REGISTER,

By: WAYNE C. GROVER,
Chairman.

Approved:

HARRY S. TRUMAN,
The White House.

[F. R. Doc. 48-9066; Filed, Oct. 11, 1948;
10:17 a. m.]

TITLE 5—ADMINISTRATIVE
PERSONNEL

Chapter I—Civil Service Commission

PART 24—FORMAL EDUCATION REQUIREMENTS FOR APPOINTMENT TO CERTAIN SCIENTIFIC, TECHNICAL, AND PROFESSIONAL POSITIONS

DIETITIAN

Section 24.10 is amended to read as follows:

§ 24.10 *Dietitian*, P-625-0, all grades—
(a) *Educational requirement.* Applicants must have successfully completed at least 36 semester hours of study in an accredited college or university. This study must have included 12 semester hours in chemistry (to include general, organic, and biochemistry) 6 semester hours in biology (to include human physiology and bacteriology) 6 semester hours in foods (to include food preparation and meal planning) 6 semester hours in nutrition and diet in disease; 6 semester hours in institution management (to include quantity cookery and organization and management) Successful completion of a standard 4-year course leading to a bachelor's degree in an accredited college or university with major study in dietetics or institutional management will be accepted as meeting the educational requirement for these positions.

(b) *Duties.* The position of dietitian includes the following and related duties: Planning and supervising the preparation and serving of therapeutic diets; charting components and measurements for conformance with type of diet prescribed by the doctors; instructing patients in the composition and preparation of discharge diets as required; mak-

ing annual budget estimates of food and allotments; and determining the kind and amount of food to be procured. The degree of responsibility will vary with the grade of the position.

(c) *Knowledge and training requisite for performance of duties.* The duties of dietitian cannot be performed successfully without a knowledge of the physiology and digestive processes of the human body, the nutritional requirements of individuals of varying ages and occupations, the special diet requirements of persons suffering from a variety of diseases, bacteriological principles as applied to food spoilage and sanitation, and the organization and administration of a hospital dietary department. This knowledge can be gained only through a directed course of study in an accredited college or university with well-equipped chemistry, physiology, bacteriology, foods, and nutrition laboratories and thoroughly trained instructors, where progress is competently evaluated. (Sec. 5, 58 Stat. 388; 5 U. S. C. 854)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] H. B. MITCHELL,
President.

[F. R. Doc. 48-9006; Filed, Oct. 11, 1948;
8:45 a. m.]

TITLE 8—ALIENS AND
NATIONALITYChapter IV—Displaced Persons
Commission

PART 700—ADMISSION INTO THE UNITED STATES OF DISPLACED PERSONS

Correction

In Federal Register Document 48-8864, appearing at page 5821 of the issue for Wednesday, October 6, 1948, the following corrections should be made:

In the third line of § 700.3 the word "married" should read "unmarried"

The second sentence of § 700.11 should read: "An applicant who may not appear to that examining immigrant inspector to be clearly and beyond a doubt entitled to land shall be referred for examination in relation thereto by a board of special inquiry."

TITLE 9—ANIMALS AND
ANIMAL PRODUCTSChapter I—Bureau of Animal Industry,
Department of AgricultureSubchapter D—Exportation and Importation of
Animals and Animal Products

PART 94—RINDERPEST AND FOOT-AND-MOUTH DISEASE; PROHIBITED AND RESTRICTED IMPORTATION

NOTICE OF DETERMINATION OF NONEXISTENCE OF RINDERPEST AND FOOT-AND-MOUTH DISEASE IN IRELAND (EIRE) AND NORTHERN IRELAND, AND PROHIBITIONS AND RESTRICTIONS ON IMPORTATION OF LIVESTOCK ON ACCOUNT OF SUCH DISEASES

On August 28, 1948, a notice of rule-making was published in the FEDERAL

REGISTER (13 F. R. 5025) concerning the proposed determination of the nonexistence of rinderpest and foot-and-mouth disease in certain foreign countries and the proposed amendment of § 94.1 of the regulations (9 CFR Cum. and 1947 Supps., 94.1) under section 306 of the Tariff Act of 1930 (19 U. S. C. 1946 ed. 1306) relating to prohibitions and restrictions on importation of livestock on account of such diseases. After consideration of all relevant matters presented, including the proposals set forth in the notice, the Secretary of Agriculture pursuant to section 306 of the Tariff Act of 1930 has determined and notified the Secretary of the Treasury that rinderpest and foot-and-mouth disease do not now exist in Ireland (Eire) and Northern Ireland, and hereby amends § 94.1 of the regulations by striking therefrom the words "Ireland (Eire)" and "Northern Ireland."

Inasmuch as the foregoing amendment relieves restrictions heretofore imposed, it is within the exception in section 4 (c) of the Administrative Procedure Act and may properly be made effective less than 30 days after its publication in the FEDERAL REGISTER. Consequently it shall become effective upon publication in the FEDERAL REGISTER.

The purpose of the determination and notification of the Secretary of the Treasury and the public and of the foregoing amendment of the regulations under section 306 of the Tariff Act of 1930 is to remove the prohibition heretofore effective under said section upon importation into the United States of cattle, sheep, other domestic ruminants, and swine, and of fresh chilled or frozen beef, veal, mutton, lamb, or pork from Ireland (Eire) and Northern Ireland and to render the commodities specified in Part 94, Subchapter D, Chapter I, Title 9 of the Code of Federal Regulations (B. A. I. Order No. 373) and originating in said countries no longer subject to the provisions of that part.

(Sec. 306, 46 Stat. 689; 19 U. S. C. 1306 (c))

Done at Washington, D. C., this 7th day of October 1948. Witness my hand and the seal of the United States Department of Agriculture.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 48-9032; Filed, Oct. 11, 1948;
8:52 a. m.]

Subchapter F—Animal Breeds

[B. A. I. Order 365, Amdt. 21]

PART 151—RECOGNITION OF BREEDS AND
PUREBRED ANIMALSRECOGNITION OF BREEDS AND BOOKS OF
RECORD OF PUREBRED HORSES

On September 2, 1948, there was published in the FEDERAL REGISTER (13 F. R. 5123) a notice of a proposed amendment of § 151.6 (a) of the regulations relating to recognition of breeds and books of record of purebred animals under paragraph 1606 of section 201 of the Tariff Act of 1930 (19 U. S. C. 1946 ed. sec. 1201, par. 1606) to recognize the Criolla breed of

horses in Argentina and the Stud Book Argentino para la Baza Criolla.

After due consideration of all relevant material presented pursuant to the notice, including the proposals set forth therein, and under the authority vested in the Secretary of Agriculture by paragraph 1606 of section 201 of the Tariff Act of 1930 (19 U. S. C. 1946 ed., sec. 1201, par. 1606) § 151.6 (a) Chapter I, Title 9, Code of Federal Regulations (paragraph 1, section 2, regulation 2, D. A. I. Order 365) as amended, is amended by adding to the subdivision of said paragraph relating to horses, the following breed and book of record:

HORSES

Name of breed	Book of record	By whom published
Criolla.....	"Registro Definitivo" section of the Stud Book Argentino para la Baza Criolla. ¹	Sociedad Rural Argentina, José A. Martínez de Hoz, President, Florida 460, Buenos Aires, Argentina.

¹ *Provided:* That no horse registered in this book shall be certified as purebred unless a certificate giving three generations of complete and recorded purebred ancestry, issued by the organization named, is submitted for each horse.

(Sec. 201, 46 Stat. 672; 19 U. S. C. 1201, par. 1606 (a))

Effective date. The foregoing amendment shall become effective thirty days after publication hereof in the *FEDERAL REGISTER*.

The purpose of the amendment is to permit the duty-free entry into the United States of purebred Criolla horses registered in the specified section of the Stud Book Argentino para la Raza Criolla as provided in the regulations in this part, as amended.

Done at Washington, D. C., this 7th day of October 1948. Witness my hand and the seal of the United States Department of Agriculture.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 48-9031; Filed, Oct. 11, 1948; 8:52 a. m.]

TITLE 10—ARMY

Chapter V—Military Reservations and National Cemeteries

PART 501—LIST OF EXECUTIVE ORDERS, PROCLAMATIONS AND PUBLIC LAND ORDERS AFFECTING MILITARY RESERVATIONS

MICHIGAN

CROSS REFERENCE: For order affecting the tabulation contained in § 501.1, by adding certain public lands within the Fort Brady Target Range Military Reservation to the Marquette National Forest, see Public Land Order 523 in the Appendix to Chapter I of Title 43, *infra*.

TITLE 24—HOUSING CREDIT

Chapter VIII—Office of the Housing Expediter

[Controlled Housing Rent Reg.,¹ Amdt. 43]

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

CONTROLLED HOUSING RENT REGULATION

The Controlled Housing Rent Regulation (§§ 825.1 to 825.12) is amended in the following respect:

Schedule A, item 176, is amended to describe the county in the Defense-Rental Area, as follows:

The City of Alliance and adjacent territory described as follows:

Sections 25, 26, 35 and 36, Township 25 N., Range 48, West of the 6th Principal Meridian, and the West half of Section 31, township 25 N., Range 47, West of the 6th Principal Meridian, in Box Butte County, State of Nebraska.

(Sec. 204 (c) Pub. Law 129, 80th Cong., Pub. Laws 422, 464, 80th Cong., 50 U. S. C. App. Sup. 1894 (c))

This amendment shall become effective October 12, 1948.

Issued this 7th day of October 1948.

J. WALTER WHITE,
Acting Housing Expediter.

Statement To Accompany Amendment 43 to the Controlled Housing Rent Regulation

It is the judgment of the Housing Expediter that the need for continuing maximum rents in that portion of Box Butte County, State of Nebraska, Alliance Defense-Rental Area, which is outside the City of Alliance and its environs, no longer exists due to the fact that the demand for rental housing accommodations has been reasonably met.

This amendment is therefore being issued to decontrol said portions of said county in accordance with section 204 (c) of the Housing and Rent Act of 1947, as amended.

[F. R. Doc. 48-9020; Filed, Oct. 11, 1948; 8:48 a. m.]

[Rent. Reg. for Controlled Rooms in Rooming Houses and Other Establishments,² Amdt. 43]

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

RENT REGULATION FOR CONTROLLED ROOMS IN ROOMING HOUSES AND OTHER ESTABLISHMENTS

The Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments (§§ 825.81 to 825.92) is amended in the following respect:

Schedule A, item 176, is amended to describe the county in the Defense-Rental Area, as follows:

¹ 13 F. R. 5706, 5788, 5877.

² 13 F. R. 5750, 5789, 5875.

The City of Alliance and adjacent territory described as follows:

Sections 25, 26, 35 and 36, Township 25 N., Range 48, West of the 6th Principal Meridian, and the West half of Section 31, Township 25 N., Range 47, West of the 6th Principal Meridian, in Box Butte County, State of Nebraska.

(Sec. 204 (c) Pub. Law 129, 80th Cong., Pub. Laws 422, 464, 80th Cong., 50 U. S. C. App. Sup., 1894 (c))

This amendment shall become effective October 12, 1948.

Issued this 7th day of October 1948.

J. WALTER WHITE,
Acting Housing Expediter.

Statement To Accompany Amendment 43 to the Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments

It is the judgment of the Housing Expediter that the need for continuing maximum rents in that portion of Box Butte County, State of Nebraska, Alliance Defense-Rental Area, which is outside the City of Alliance and its environs, no longer exists due to the fact that the demand for rental housing accommodations has been reasonably met.

This amendment is therefore being issued to decontrol said portions of said county in accordance with section 204 (c) of the Housing and Rent Act of 1947, as amended.

[F. R. Doc. 48-9021; Filed, Oct. 11, 1948; 8:48 a. m.]

[Controlled Housing Rent Reg.,¹ Amdt. 44]

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

CONTROLLED HOUSING RENT REGULATION

The Controlled Housing Rent Regulation (§§ 825.1 to 825.12) is amended in the following respect:

Schedule B is amended by incorporating Item 34 as follows:

34. Provisions relating to Oklahoma County, a portion of the Oklahoma City Defense-Rental Area, State of Oklahoma:

Increase in maximum rents based upon the recommendation of the Local Advisory Board. Pursuant to the provisions of and subject to the limitations contained in the Housing and Rent Act of 1947, as amended, the maximum rents are increased, effective October 15, 1948, in the amount of 15 percent for all housing accommodations in Oklahoma County, Oklahoma, a portion of the Oklahoma City Defense-Rental Area, for which the maximum rents were determined under sections 4 (a) and 4 (b) of the Rent Regulation for Housing, issued pursuant to the Emergency Price Control Act of 1942, as amended, or which have been fixed by an order entered under section 5 of said regulation or under § 825.5 of this regulation in

¹ 13 F. R. 5706, 5788, 5877.

cases in which said section of the applicable regulation provides that the maximum rent should be determined on the basis of the rent generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date: *Provided, however* That where the 15 percent increase hereby authorized is applied to housing accommodations for which the maximum rent has been adjusted under section 5 (a) (12) of the aforesaid Rent Regulation for Housing, or under § 825.5 (a) (12) or § 825.5 (a) (16) of this regulation, the amount of such adjustment shall be excluded in determining the increased maximum rent.

Any maximum rent which is substantially lower than the rent generally prevailing in the defense-rental area for comparable housing accommodations on March 1, 1942 plus 15 percent shall be eligible for adjustment on the basis of such generally prevailing rent plus 15 percent, on the filing of an individual petition for adjustment under § 825.5 (a) (11) of this regulation.

° All provisions of this regulation insofar as they are applicable to the Oklahoma City Defense-Rental Area are hereby amended to the extent necessary to carry these provisions into effect.

(Sec. 204 (e) 61 Stat. 197, Pub. Law 129, 80th Cong., as amended by 62 Stat. 37, Pub. Law 422, 80th Cong., and as amended by 62 Stat. 94, Pub. Law 464, 80th Cong., 50 U. S. C. App. 1894 (e).)

This amendment shall become effective October 15, 1948.

Issued this 11th day of October 1948.

TIGHE E. WOODS,
Housing Expediter

Statement To Accompany Amendment 44 to the Controlled Housing Rent Regulation

The Local Advisory Board for Oklahoma County, a portion of the Oklahoma City Defense-Rental Area, State of Oklahoma, has, in accordance with section 204 (e) (1) (B) of the Housing and Rent Act of 1947, as amended, recommended an increase in the general rent level in Oklahoma County, Oklahoma, a part of the Oklahoma City Defense-Rental Area, with special provisions for cases in which the maximum rents have heretofore been adjusted on certain grounds.

The Housing Expediter has found that this recommendation is appropriately substantiated and is in accordance with applicable law and regulations to the extent of 15 percent, with special provisions for cases in which the maximum rents have heretofore been adjusted under section 5 (a) (12) of the Rent Regulation for Housing, issued pursuant to the Emergency Price Control Act of 1942, as amended, or under §§ 825.5 (a) (12) or 825.5 (a) (16) of this regulation. The Housing Expediter is therefore issuing this amendment to effectuate such portion of the recommendation.

[F. R. Doc. 48-9074; Filed, Oct. 11, 1948; 12:15 p. m.]

[Rent Reg. for Controlled Rooms in Rooming Houses and Other Establishments,¹ Amdt. 44]

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

RENT REGULATION FOR CONTROLLED ROOMS IN ROOMING HOUSES AND OTHER ESTABLISHMENTS

The Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments (§§ 825.81 to 825.92) is amended in the following respect:

Schedule B is amended by incorporating Item 35 as follows:

35. Provisions relating to Oklahoma County, a portion of the Oklahoma City Defense-Rental Area, State of Oklahoma.

Increase in maximum rents based upon the recommendation of the Local Advisory Board. Pursuant to the provisions of and subject to the limitations contained in the Housing and Rent Act of 1947, as amended, the maximum rents are increased, effective October 15, 1948, in the amount of 15 percent for all housing accommodations in Oklahoma County, Oklahoma, a portion of the Oklahoma City Defense-Rental Area, for which the maximum rents were determined under section 4 (a) of the Rent Regulation for Transient Hotels, Residential Hotels, Rooming Houses and Motor Courts, issued pursuant to the Emergency Price Control Act of 1942, as amended, or which have been fixed by an order entered under section 5 of said regulation or under § 825.85 of this regulation in cases in which said section of the applicable regulation provides that the maximum rent should be determined on the basis of the rent generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date; *Provided, however* That where the 15 percent increase hereby authorized is applied to housing accommodations for which the maximum rent has been adjusted under section 5 (a) (9) of the aforesaid Rent Regulation for Transient Hotels, Residential Hotels, Rooming Houses and Motor Courts, or under § 825.85 (a) (9) of this regulation, the amount of such adjustment shall be excluded in determining the increased maximum rent.

Any maximum rent which is substantially lower than the rent generally prevailing in the defense-rental area for comparable housing accommodations on March 1, 1942 plus 15 percent shall be eligible for adjustment on the basis of such generally prevailing rent plus 15 percent, on the filing of an individual petition for adjustment under § 825.85 (a) (8) of this regulation.

All provisions of this regulation insofar as they are applicable to the Oklahoma City Defense-Rental Area are hereby amended to the extent necessary to carry these provisions into effect.

(Sec. 204 (e) 61 Stat. 197, Pub. Law 129, 80th Cong., as amended by 62 Stat. 37, Pub. Law 422, 80th Cong., and as

¹ 13 F. R. 5750, 5789, 5876.

amended by 62 Stat. 94, Pub. Law 464, 80th Cong., 50 U. S. C. App. 1894 (e).)

This amendment shall become effective October 15, 1948.

Issued this 11th day of October 1948.

TIGHE E. WOODS,
Housing Expediter

Statement To Accompany Amendment 44 to the Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments

The Local Advisory Board for Oklahoma County, a portion of the Oklahoma City Defense-Rental Area, State of Oklahoma, has, in accordance with section 204 (e) (1) (B) of the Housing and Rent Act of 1947, as amended, recommended an increase in the general rent level in Oklahoma County, Oklahoma, a part of the Oklahoma City Defense-Rental Area, with special provisions for cases in which the maximum rents have heretofore been adjusted on certain grounds.

The Housing Expediter has found that this recommendation is appropriately substantiated and is in accordance with applicable law and regulations to the extent of 15 percent, with special provisions for cases in which the maximum rents have heretofore been adjusted under section 5 (a) (9) of the Rent Regulation for Transient Hotels, Residential Hotels, Rooming Houses and Motor Courts, issued pursuant to the Emergency Price Control Act of 1942, as amended, or under § 825.85 (a) (9) of this regulation. The Housing Expediter is therefore issuing this amendment to effectuate such portion of the recommendation.

[F. R. Doc. 48-9073; Filed, Oct. 11, 1948; 12:15 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter XXIV—Department of State, Disposal of Surplus Property

[Dept. Reg. 108.74; FLO Reg. 8, Order 8]

PART 8508—DISPOSAL OF SURPLUS PROPERTY LOCATED IN FOREIGN AREAS

IMPORTATION INTO UNITED STATES

Correction

In Federal Register Document 48-8567, appearing on page 5528 in the issue for Thursday September 23, 1948, the following numbers appearing in paragraph (14) of Schedule A of the original document have been corrected as indicated:

700005 corrected to read 700000.
740500 corrected to read 740005.
748412 corrected to read 748512.

TITLE 34—NATIONAL MILITARY ESTABLISHMENT

Subtitle A—Secretary of Defense

PART 73—INDUCTION STANDARDS

Sec.

- 73.1 Method of physical examination and minimum standards.
- 73.2 Minimum mental level.

Sec.

73.3 Modification of AR 40-115 items not applicable to Air Force and Navy.

AUTHORITY: §§ 73.1 to 73.3, issued under sec. 4 (a), Pub. Law 759, 80th Cong.

§ 73.1 *Method of physical examination and minimum standards.* The revised Army Regulations No. 40-115, "Physical Standards and Profiling for Enlistment and Induction," Department of the Army (1948) will be used at Joint Induction Stations as the universal method of physical examination, and as the uniform minimum physical standards for the induction of personnel into the Armed Services. It will also be used as the universal method of profiling the physical capacities.

§ 73.2 *Minimum mental level.* The minimum mental level for induction shall be seventy (70) as determined by a common General Classification test. Initially, Department of the Army Recruiting Test (Classification Test R-5 and R-6) will be used for this purpose and will be administered at Joint Induction Stations to all persons being processed for induction.

§ 73.3 *Modification of AR 40-115 items not applicable to the Air Force and Navy.* Items in AR 40-115 referring to "Soldier," "Department of the Army" and certain other phrases and sections clearly not applicable to the Departments of the Air Force and the Navy, will be administratively modified by those Departments.

JAMES FORRESTAL,
Secretary of Defense.

AUGUST 9, 1948.

[F. R. Doc. 48-9012; Filed, Oct. 11, 1948; 8:46 a. m.]

Chapter V—Department of the Army

Subchapter C—Military Education

TRANSFER AND REVISION OF REGULATIONS

The material contained in Chapter IV of Title 10 is hereby revised and transferred to Chapter V Title 34, and is redesignated Subchapter C, Parts 542 and 543, as follows:

Part

- 542 Schools and colleges.
543 Promotion of rifle practice.

PART 542—SCHOOLS AND COLLEGES

Sec.

- 542.1 Military authority.
542.2 Schools and colleges concerned.
542.3 Application to receive Government aid.
542.4 Inspections and reports.
542.5 Military instructors.
542.6 Military training and instruction.
542.7 Organization, discipline, and government of military students.
542.8 Certificate to student.
542.9 Records, orders, and communications.
542.10 Property.
542.11 Bonds.
542.12 Arms, equipment, and spare parts.
542.13 Camps.
542.14 United States Military Academy, West Point, New York.

AUTHORITY: §§ 542.1 to 542.13 Issued under 41 Stat. 780; 10 U. S. C. 1180, 1181.

DERIVATION: AR 350-3300, Dec. 22, 1938.

§ 542.1 *Military authority—(a) Secretary of the Army.* All matters pertaining to the coordination and supervision of military instruction at institutions conducting military training under the provisions of section 55c of the Act of June 3, 1916, as amended by Act of June 4, 1920 (41 Stat. 780; 10 U. S. C. 1180, 1181) are vested in the Secretary of the Army, who is specifically charged with the supervision of all matters relating to policy, instruction, training, and inspection of such institutions. He will determine the eligibility of any institution to establish military training under the provisions of the Act of Congress cited above.

(b) *Army area commander* The army area commander is the representative within his army area of the Department of the Army. He should assign one or more officers of his staff to the duty of thoroughly familiarizing themselves with the history of military training in civil educational institutions and the past and present policy of the Department of the Army with reference to such training. It will be his duty to coordinate the military instruction and training at all civil educational institutions operating under regulations prescribed by the Department of the Army within his army area and to see that the policy, with reference to same is carried into effect. He will have supervision over all Army personnel on duty at all civil educational institutions within his army area. He will ascertain the number of officers and noncommissioned officers needed for duty at each institution within his army area and will recommend the detail or relief of such officers and noncommissioned officers to the Department of the Army. He will see that the officers and noncommissioned officers on such duty properly perform their duties. He will see that all institutions within his army area are equipped properly to carry on the instruction and training prescribed by the Department of the Army. He will not be responsible, however, for the supply of such equipment. He or his representatives will spend as much time as practicable visiting the institutions within his corps area, becoming personally acquainted with the officials of the institutions and the Army officers on duty and give advice and assistance whenever it seems necessary. He will refrain from interfering with schedules in operation or with local affairs except where there is a failure to carry out approved policies or where wrong methods are in operation. He will permit latitude and freedom as to methods on the part of the professors of military science and tactics and hold them responsible for results. Copies of instructions from the Department of the Army will be furnished the army area commander, and all routine matters pertaining to institutions conducting military training under the provisions of the Act of Congress cited in paragraph (a) of this section should be handled by him, unless action by the Department of the Army is necessary. His office will not become burdened with administrative functions nor should he demand unnecessary and burdensome reports and data from the institutions. An officer repre-

senting him should accompany the Department of the Army inspector during the annual inspection of institutions within his army area.

§ 542.2 *Schools and colleges concerned.*

(a) The schools and colleges referred to in the Act of Congress cited in § 542.1 include all those educational institutions, public or private, which do not maintain units of the Reserve Officers' Training Corps.

(b) In order to avail themselves of the privileges prescribed by the regulations in this part the institutions concerned must agree to the following:

(1) To maintain under the prescribed course of military training not less than 100 physically fit male students above the age of 14 years.

(2) That any student who enters upon the prescribed course of military training will be required to continue the training for the remainder of that academic year, as prerequisite for graduation or promotion from that year's course, unless excused therefrom for physical disability or on the recommendation of the professor of military science and tactics.

(3) To allot and require an average of not less than 3 hours a week per school year to the prescribed course of military training.

§ 542.3 *Application to receive Government aid.* (a) When any educational institution which has not received Government aid under the provisions of the Act of Congress cited in § 542.1 desires to receive such aid, the authorities of the institution will submit an application in accordance with the following form:

(Place)

(Date)
Subject: Government aid under section 55c,
National Defense Act, as amended.
To: The Adjutant General.
1. The -----
(Governing body)
of -----
(Name of institution)

located at -----, desires to participate in the Government aid authorized under section 55c, National Defense Act, as amended by the act of Congress approved June 4, 1920.

2. Number of physically fit male students above the age of 14 years enrolled at the institution, -----

3. Number of such students who agree, or will be required to participate in the prescribed military training, -----

4. The authorities of the institution agree to allot and require an average of not less than three hours a week per school year to the course of military training prescribed by the Secretary of the Army.

5. They further agree that when any student enters upon such course of military training it shall, as regards such student, be prerequisite for graduation or promotion for that academic year unless such student is excused for physical disability or on recommendation of the professor of military science and tactics.

6. The authorities of the institution (do not) desire one or more officers and noncommissioned officers of the Army as instructors, if any are available for this duty.

7. In case no officer or noncommissioned officer of the Army is detailed for duty as professor of military science and tactics at

the institution, the authorities of the institution are prepared to provide an instructor qualified to teach the course of military training prescribed by the Secretary of the Army.

8. The authorities of the institution will provide suitable storage facilities for all Government property issued to the institution and will take such measures as are necessary properly to care for the same; they will cause to be executed on blank form to be furnished by the Department of the Army a bond in the value of the Government property (plus 15 per cent) to be issued, for the care and safekeeping thereof and for its return in good condition when required; they further agree to keep such Government property insured against loss by fire for the benefit of the United States.

Signature _____
(Head of Institution)

(b) The application will be mailed to The Adjutant General, accompanied by a statement showing the name and military qualifications of the person selected to be professor of military science and tactics as provided in § 542.5 (c)

(c) Upon receipt of the application The Adjutant General will issue the necessary orders to cause the corps area commander or a representative to make an inspection and report upon the institution on W. D., A. G. O. Form No. 0722 (Educational Institutions — Report of Initial Inspection of) If the inspection indicates that the institution is entitled to the benefits of section 55c, National Defense Act, as amended, and if the application has been approved by the Secretary of the Army, requisitions will be made at the institution on W. D., Q. M. C. Form No. 400 (Requisition) Signed requisitions will then be forwarded to the army area commander. After the value of all property that will be issued to the institution has been decided upon, a bond in the sum of not less than 15 percent in excess of the invoice value of all Government property to be issued will be furnished by the institution to the Secretary of the Army. (See § 542.11.) Upon approval by the army area commander, shipments will be made of the property, including the annual allowance of spare parts, etc., referred to in § 542.12 (c) Such shipments will be made on the regular form of Government bill of lading at the expense of the United States. Such blank forms will be furnished to the institution as are necessary properly to care for and account for Government property.

§ 542.4 *Inspections and reports.* (a) The military department of all schools and colleges having a course of military training prescribed by the Secretary of the Army pursuant to the provisions of the Act of Congress cited in § 542.1 will be subject to inspection under the authority of the President of the United States. Army area commanders or their representatives will make a formal inspection of the military department of each such institution within their respective army areas annually. No formal rating will be awarded as a result of these inspections.

(b) In addition to the formal inspection prescribed in paragraph (a) of this section army area commanders or their representatives will make such visits of observation as they may consider neces-

sary to acquaint themselves with conditions at institutions, and to establish contact with the interested institutional authorities. Such visits will not include a formal inspection of units.

(c) During the visits to educational institutions inspecting officers will satisfy themselves as to the correctness of numbers and ages of students enrolled in the military departments; the state and condition of equipment; the adequacy and suitability of means provided by the institution for caring for Government property issued to the institution; suitability and adequacy of instructor personnel of the military department; status of the military department as to organization, efficiency, and cooperation of the authorities of the institution; and they will make written report to the army area commander of any deficiencies in these matters which they are unable to correct on the spot. Report in writing will be made to the army area commander of any violation of regulations for which the authorities of the institution are responsible or any matter affecting the desirability of the institution for the purposes of military education.

§ 542.5 *Military instructors*—(a) *Detail.* Insofar as the exigencies of the service permit, active or retired officers, warrant officers, and enlisted men of the Regular Army will be detailed under the provisions of the Act of Congress cited in § 542.1, as follows:

(1) Officers, active or retired; one to each institution, and where the institution has more than 500 students under military instruction, one additional officer for each 500 students or major fraction thereof.

(2) Noncommissioned officers, active or retired; one to each institution, and where the institution has more than 500 students under military instruction, one additional noncommissioned officer for each additional 500 students or major fraction thereof.

(3) Warrant officers, active or retired; one (in lieu of one noncommissioned officer) to institutions to which the detail of more than one noncommissioned officer is authorized.

(b) *Duties.* The duties of persons detailed as provided in paragraph (a) of this section are solely those of instructors in the course of military training prescribed by the Secretary of the Army, except that a Regular Army officer may perform the duties of commandant of cadets. Officers or noncommissioned officers will not conduct any courses of instruction in the institution other than those prescribed by the Department of the Army, or pursue any course of instruction conducted by the institution without the permission of the Secretary of the Army. Clerical labor connected with the issue, care, and accountability of Government property and manual labor connected with the care and repair of such property must be provided by the authorities of the institution.

(c) *Professor of military science and tactics.* (1) When one or more officers are detailed by the Department of the Army to an educational institution, the senior line officer will be the professor of

military science and tactics. Where officers of the services only are detailed to an educational institution, the senior officer thereof will be the professor of military science and tactics. For the purpose of the regulations in this part, officers retired from arms will be regarded as line officers. All other officers detailed by the Department of the Army to the institution will be directly under his orders and control in all matters pertaining to their military duties at the institution. On arriving at the institution for duty the senior officer will report in person to the head of the institution and by letter to the army area commander. Thereafter his status and relations with the institution will be the same as are those of the head of any other department of the institution.

(2) When no officer is detailed by the Department of the Army to the institution, a suitable person will be designated by the authorities of the institution to be professor of military science and tactics, whose status and relations with the institution will be the same as are those of the head of any other department of the institution. In such cases the Department of the Army must be satisfied that the professor of military science and tactics designated by the authorities of the institution is qualified for his duties.

(d) *Noncommissioned officers.* Noncommissioned officers detailed by the Department of the Army to an institution will report to and be under the supervision of the professor of military science and tactics.

§ 542.6 *Military training and instruction*—(a) *Prescribed course.* The instruction given to those students taking the first year's course of military training must include the following subjects as a minimum:

(1) Physical training, first aid to the injured, and elementary hygiene and sanitation.

(2) Nomenclature and care of the rifle and equipment.

(3) Training publications, Infantry drill, close and extended order, to include the schools of the soldier, squad, and company.

(4) Instruction in firing the rifle, to include gallery practice.

(b) *Additional instruction.* Every effort will be made to offer to those students, who have satisfactorily completed training set forth in paragraph (a) of this section, a further and progressive course of military instruction which will follow, as nearly as the facilities of the institution permit, the program of instruction prescribed for Junior Division, ROTC units (CS) copies of which may be obtained from The Adjutant General. This program will be carefully studied and the policy and method of training outlined therein should be used as a guide and carefully adhered to as far as practicable. In institutions which offer more than 3 years of military instruction the program may be expanded by the allotment of additional time to subjects in this program at the discretion of the officials of the institutions concerned.

(c) *Records of training.* Such records as will show specifically the following information will be kept in the depart-

ment of military science and tactics of the institution.

(1) Date and duration of each drill or instruction period.

(2) Kind of drill or subjects of instruction covered at each drill or instruction period.

(3) Name of instructor at each drill or instruction period.

(4) Number of students present at each drill or instruction period for the entire period.

(5) Names of absentees and the reason for absences.

(6) When range practice is held, the score of each student will be kept.

(7) Record of all Government property issued to the institution.

(8) Lists of all Government property issued to each student by the institution.

§ 542.7 *Organization, discipline, and government of military students*—(a) *Organization.* Students under military training will be organized into companies, battalions, and regiments of Infantry, the organization, drill, and administration of which will conform as far as practicable to that prescribed for similar units of the Regular Army.

(b) *Discipline.* Discipline will be maintained at all times when the students are undergoing military training.

(c) *Rules and orders.* All rules and orders relating to the organization, discipline, and government of the military students, the appointment, promotion, and change of officers, and all orders affecting the department of military science and tactics, except those relating to routine duty, will be made and promulgated by the professor of military science and tactics, after being approved by the chief administrative officer of the institution.

(d) *Supervision and control.* Institutions conducting military training under the provisions of the Act of Congress cited in § 542.1 will retain the ordinary powers of supervision and control of the student personnel.

(e) *Report from the professor of military science and tactics.* The professor of military science and tactics will render to the army area commander a special report covering in full any serious case of breach of military discipline in which adequate action has not been taken by the authorities of the institution within reasonable time.

§ 542.8 *Certificate to student.* When any student severs his connection with the institution, a certificate stating what military training he has satisfactorily completed should be given to him.

§ 542.9 *Records, orders, and communications.* The office of The Adjutant General is the office of record and issuance of orders relating to these institutions. All communications, therefore, with reference to the military department of a school or college where military instruction is conducted under regulations prescribed by the Department of the Army will be, except where otherwise prescribed, forwarded through the army area commander to The Adjutant General.

§ 542.10 *Property*—(a) *Requisitions.* Requisitions for Government property for an educational institution operating under the provisions of the regulations in this part will be submitted to the army area commander.

(b) *Transportation.* Shipment of Government property authorized under the provisions of the Act of Congress cited in § 542.1 from depots, arsenals, or armories to institutions, and return shipment from institutions to depots, arsenals, or armories, will be made on the regular Government bill of lading at the expense of the United States. This transportation cost, together with the cost of packing and handling at the arsenal or depot, will be paid from funds allocated to the army area commander.

Professors of military science and tactics may employ the necessary drayage for hauling Government equipment from the local railroad receiving point when institution and from the institution to the local railroad receiving point when no Government transportation is available or when the institution has no transportation. Just accounts will be submitted to the army area commander for approval and payment. However, when under the provision of § 542.5 (c) (2) no officer of the Army has been detailed to the institution as professor of military science and tactics, the official of the institution designated by the head of the institution under the provisions of paragraph (c) (2) of this section will perform the duties indicated in this paragraph.

(c) *Accounting.* (1) Government property issued to educational institutions under the provisions of the Act of Congress cited in § 542.1 must be accounted for on blank forms furnished by the Department of the Army for this purpose.

(2) The president or other authority of the institution will be requested to designate an official of the institution as authorized to sign all property papers for the institution and account for the property in the name of and for the institution. This authority in the form of a certificate will be transmitted to the army area commander.

(d) *Lost, destroyed or damaged.* (1) Government property which becomes unserviceable through fair wear and tear incident to the proper and authorized use of such property will be replaced or repaired at the expense of the United States. Such property may be dropped from the institution's accountability on an approved W. D., A. G. O. Form No. 15 (Report of Survey) or W. D., I. G. D. Form No. 1 (Inventory and Inspection Report) Should the approved W. D., A. G. O. Form No. 15 or W. D., I. G. D. Form No. 1 involve the shipment of the unserviceable property to a depot or arsenal for salvage or repair, such property will be dropped from accountability only on the receipted W. D., Q. M. C. Form No. 434 (Shipping Ticket), on which it is shipped to the depot or arsenal, to which the W. D., A. G. O. Form No. 15 or W. D., I. G. D. Form No. 1 authorizing the shipment will be attached.

(2) Government property lost, destroyed, or damaged by fire, flood, theft, tornado, or other similar causes, without fault or neglect on the part of the institution, its servants, or employees, or any member of its student body receiving military training, will be replaced at the expense of the United States. To determine whether such loss, destruction, or damage was without fault or neglect on the part of the institution, its servants or employees, or members of its student body receiving military training, a survey will be made as provided in paragraphs 6 and 8, AR 35-6640.¹ The surveying officer will be appointed by the army area commander.

(3) All other loss, destruction, damage, or deterioration of Government property for which an institution is accountable will be made good by the institution, and army area commanders will take the necessary action to cause reimbursement to the United States for such loss, destruction, damage, or deterioration.

(4) Whenever Government property for which an institution is accountable is lost, whatever the cause, or becomes unserviceable to the extent of requiring replacement, or repair which cannot be made at the institution, the institution authorities will immediately notify the army area commander. In case arms are lost, the army area commander and The Adjutant General will be notified immediately by wire and the authorities of the institution will also notify the proper civil authorities, with a view of seizing the arms, if found, and of prosecuting all persons concerned in the illegal possession thereof.

(e) *Inventories*—(1) *By whom and when made.* (i) Inventories of all Government property at each institution will be made at least once each year by the official of the institution authorized to account for the property in accordance with AR 35-6520.² This annual inventory will be made during the period between the close of the spring term of one academic year and the opening of the fall term of the following academic year. A Regular Army officer, assigned to duty at the school, will assist at the inventory, and will verify the entry of inventory balances on the stock record cards as required by paragraph 19c, AR 35-6520.² If an officer of the Regular Army is not available to assist in taking the inventory, the accountable school official will notify the corps area commander and await the designation of suitable military personnel to be present at the inventory.

(ii) In the case of arms and other items bearing numbers, the serial number of each weapon or similar item will be checked. The provisions of paragraph 19d (1) AR 35-6520,² will not apply. The contents of packages containing such items will, upon receipt thereof, be examined and verified as to quantity

¹ Administrative regulations of the Department of the Army relative to lost, destroyed, damaged, or unserviceable property.

² Administrative regulations of the Department of the Army relative to property accountability and responsibility.

and serial numbers, after which the containers should be closed, resealed, and marked to show date of such examination and verification. The same procedure will be followed when accountability for property is transferred, and at each subsequent annual inventory. During the interim between inventories, the seals should be inspected at frequent intervals.

(iii) The result of such inventory and also the balances appearing on the stock record account will be entered, segregated according to supply arms or services, on the form prescribed in subparagraph (2) of this paragraph (in duplicate) the original of which will be certified as correct and forwarded to the army area commander. The duplicate copy will be retained by the institution authorities.

(2) *Form.* The report of inventory and stock record balances will be prepared by the official of the institution authorized to account for the property in the following form, supported by a list of the serial numbers of all firearms, which will be attached to each copy of the inventory.

(Place and Date)
Subject: Certified report of inventory and balances on
stock record of public property at -----
(Designation of institution)
To: Commanding General -----
Army.

Articles	Stock record bal- ances	Inventory bal- ances	Over- ages	Short- ages
-----	-----	-----	-----	-----
-----	-----	-----	-----	-----
-----	-----	-----	-----	-----
-----	-----	-----	-----	-----
-----	-----	-----	-----	-----
-----	-----	-----	-----	-----
-----	-----	-----	-----	-----

I certify that the above report is correct.

(Signature)

(Accountable officer)

(f) *Overages to be taken up on stock record account.* Any overages disclosed by the inventory will be taken up on the stock record account of the institution on W. D., Q. M. C. Form No. 445 (Over, Short, and Damaged Report) as "Found at school." Report of survey will be initiated to cover all shortages disclosed by the inventory unless the authorities of the institution acknowledge liability for the loss and make payment therefor as contemplated in paragraph (d) (3) of this section.

§ 542.11 *Bonds.* (a) A bond, in the value of all Government property issued for the care, safekeeping thereof, and for its return when required, will be furnished to the Secretary of the Army and will be filed by the army area commander after approval by him.

(b) Government property to an amount in excess of that covered by the bond will not be issued. Educational institutions will execute bonds in a sum of not less than 15 percent in excess of their immediate needs in order that any reasonable expansion may be met by the supply departments without entailing

the necessity for the execution of a new bond. (See § 542.3 (c).) Blank forms for bonds and instructions for their preparation will be obtained from the army area commander.

(c) Institutions which belong to one of the three following classes may be their own surety.

(1) Institutions operating under State charter.

(2) Institutions directly under control of municipalities.

(3) Institutions which are corporations.

(d) The high schools in the District of Columbia are not required to furnish bond, as contemplated in paragraphs (a) and (b) above, on account of military supplies and equipment issued by the Department of the Army for military instruction and practice by the students therein. (See Act of March 3, 1925 (43 Stat. 1232).)

§ 542.12 *Arms, equipment, and spare parts—(a) Arms and equipment.* The following arms and equipment are designated for issue to educational institutions under the provisions of the Act of Congress cited in § 542.1, the model depending upon the available supply.

(1) For each student undergoing military training:

1 rifle (complete) to include 1 oiler and thong case and 1 brush and thong, 1 gun sling.

(2) For every 25 students participating in gallery practice:

1 gallery practice rifle, caliber .22, M1922, M1, and necessary appendages.

(3) Miscellaneous.

For each 2 rifles, 1 screw driver.

For each 8 rifles, 1 barrack cleaning rod.

For each 10 rifles, 1 chest, arms.

(b) *Ammunition, targets, and target supplies.* (As prescribed in allowance tables.)

(c) *Spare parts and cleaning materials.* Institution to which Government property is issued are required under their bond to keep said property in good and serviceable condition. For this purpose the Government will issue to the institutions on proper approved requisition such spare parts, implements, appendages, and cleaning materials as are necessary. If the spare parts, implements, appendages, etc., are to replace similar articles which have become unserviceable through fair wear and tear incident to proper and authorized use, packing and handling charges, transportation charges, and the cost, if any, of the articles will be paid from funds allocated to the army area commander. If the articles are requested for any other cause, all charges will be borne by the institution.

(d) *Care and safekeeping of arms, equipment, etc.* The authorities of institutions are responsible for the care and safekeeping of arms, ammunition, and equipment which have been issued to them, and for seeing that proper precautions are taken to prevent arms, ammunition, and equipment from being improperly used and from falling into the hands of irresponsible persons.

(e) *Reports of accidents and malfunctions of ordnance matériel.* (1) At institutions where an officer of the Ordnance Department is included in the staff of military instructors, the professor of military science and tactics will require this officer to act as the local ordnance officer in investigating and reporting accidents and malfunctions of ordnance matériel.

(2) At other institutions the professor of military science and tactics will perform the functions of the local ordnance officer insofar as these investigations and reports are concerned.

(3) At institutions where no officer of the Regular Army is stationed, the senior Regular Army representative will function as the ordnance officer in the performance of the duties prescribed in subparagraph (1) of this paragraph.

§ 542.13 *Camps.* Camps conducted under the provisions of the Act of Congress cited in § 542.1 will conform to such regulations as may be prescribed by the Department of the Army.

§ 542.14 *United States Military Academy, West Point, New York.* (See Part 575, Subchapter F of this Chapter.)

PART 543—PROMOTION OF RIFLE PRACTICE

Sec.

543.1 Issues of rifles, ammunition, etc., to schools.

543.2 Issues of rifles, ammunition, etc., to civilian rifle clubs.

543.3 Use of rifle ranges for rifle practice by civilians.

543.4 National Board for the Promotion of Rifle Practice.

543.5 Rifle and pistol competitions in schools and colleges.

543.6 Targets and target equipment.

543.7 Awards.

AUTHORITY: §§ 543.1 to 543.6 issued under 38 Stat. 370, 39 Stat. 101, 211, 643, 41 Stat. 776, 780, 43 Stat. 510, 45 Stat. 766, 49 Stat. 1202, 54 Stat. 726; 10 U. S. C. 381, 1180, 1181, 1185, 32 U. S. C. 181, 181b, 186.

DERIVATION: AR 850-100, Nov. 18, 1947; AR 850-90, May 12, 1928; AR 850-110, Jan. 3, 1946; T/A 23, Oct. 15, 1946.

§ 543.1 *Issues of rifles, ammunition, etc., to schools—(a) Requirements to receive benefits of Acts—(1) General.* Schools to receive the benefits of the Act of April 27, 1914 (38 Stat. 370; 10 U. S. C. 1185), and Act of August 29, 1916 (39 Stat. 643) under the regulations in this part, must meet the requirements specified in those Acts. These schools include those to which issues of rifles and ammunition are not authorized under the provisions of other existing laws (sec. 40 or sec. 55c, National Defense Act, as amended by the Act of June 4, 1920 (41 Stat. 776 and 780; 10 U. S. C. 381, 1180, 1181)).

(2) *Number of cadets necessary.* A school to draw rifles and ammunition under the provisions of the Act must maintain during the entire school year a uniformed corps of cadets, at least 40 in number, above the age of 14 years, who receive military instruction and who must engage in target practice.

(b) *Kinds of equipment to be issued.* (1) The arms to be issued and the accessories, appendages, and pertaining equipment are as follows:

Articles	Remarks. See § 543.2 (c) (4)
Rifle, U. S., cal. .30, M1903 or M1903A1.....	1 per cadet, above the age of 14 years.
Bayonet, M1.....	1 per rifle.
Cover, front sight.....	1 per rifle.
Rod, cleaning, cal. .30, M2A1.....	1 per 8 rifles, cal. .30.
Scabbard, bayonet, M7.....	1 per bayonet.
Screwdriver, rifle.....	1 per 8 rifles, cal. .30.
Sling, gun, M1907, or M1.....	1 per rifle.
Belt, cartridge, cal. .30, dismounted.....	1 per rifle, cal. .30.
Rifle, cal. .22 ¹	10 per school.
Rod, cleaning, cal. .22 rifle.....	1 per 2 rifles, cal. .22.
Carrier, target, outdoor.....	2 per school.
Marker, target, short range.....	2 per school.
Marker, target, mid range.....	2 per school.
Flag, danger.....	1 per school.
Magazine assembly, extra.....	1 per .22 cal. rifle. ²

¹ Rifle, U. S. caliber .22, M2 and/or any rifle, caliber .22 available at time of issue, every effort being made to ascertain that all caliber .22 rifles issued one school will be the same make and model.

² To fit model of .22 caliber rifle issued.

(2) School will submit requisition to the Director of Civilian Marksmanship for required quantities of items authorized in subparagraph (1) of this paragraph. Requisition will accompany formal application, accomplished bond, and related papers submitted by school in accordance with the regulations in paragraph (e) (2) (i) of this section.

(3) Only articles listed in this section will be issued. Arms will be issued only for the use of cadets who are receiving adequate military training determined as the result of an inspection made under direction of the adjutant general of the State, Territory, or District of Columbia, and who will engage in target practice in accordance with the regulations prescribed by the National Board for the Promotion of Rifle Practice by firing one of the courses as prescribed in FM 23-10. The cadets qualifying in rifle marksmanship will receive appropriate badges when the qualifications are submitted to the Director of Civilian Marksmanship. Forms for making the report of qualifications will be furnished upon request.

(c) *Applications, to whom submitted.* Each application for arms under the provisions of the Acts cited in paragraph (a) of this section must be submitted to the Director of Civilian Marksmanship, Department of the Army, Washington, D. C., by the president or principal of the school through the adjutant general of the State, Territory, or District of Columbia, who will specify the actual number of uniformed cadets above the age of 14 years who receive military instruction and who will engage in target practice. This application must have the approval of the adjutant general of the State, Territory, or District of Columbia, and that of the superintendent of schools of the city, town, or district, or chairman of the board of trustees or other governing body of the school applying for the arms. Each application must indicate that a suitable instructor in small arms firing is available to the cadets.

(d) *Bonds, care of property, fire insurance, and lost property surveys.*—(1) *Bonds to be filed.* As a condition precedent to the issue of any Government property under this section, each school will be required to file with the Director of Civilian Marksmanship, on a form to be provided by him, a properly executed bond with good and suffi-

cient surety in a penal sum of \$5,000 (or in such larger sum as he may determine necessary for the protection of the Government) providing that the school will take good care of, safely keep, and account for such arms and equipment as may be issued to said school and will, when required, duly return the same within 30 days in good order and condition, to such officer or person as the Secretary of the Army may designate to receive them, reasonable wear excepted. A list of companies approved by the Treasury Department as acceptable sureties on Federal bonds will be furnished by the Director of Civilian Marksmanship. Such bonds will be submitted to The Judge Advocate General for approval as to legal sufficiency. A school may select any one of the following procedures in executing bonds:

(i) An incorporated school may act as corporate principal on bond. Such bonds must be accompanied by a copy of articles of incorporation authenticated by Secretary of State or other officer having authority in State. Bond must be signed on behalf of corporate principal by a member of school's governing body, and there will be attached to bond a certified copy of so much of the record of the proceedings of the governing body as will give the resolution authorizing the individual, designated by name and title, to obligate the school.

(ii) In the case of a public school organized pursuant to State statutes, a certificate signed by the proper State or county official that the school is duly organized under such statutes will be accepted in lieu of articles of incorporation, as evidence of its legal entity.

(iii) A legally organized public school district which is incorporated, or organized pursuant to State statutes without articles of incorporation, may act as principal upon the bond of an unincorporated school which is a part of the school system of that district. In such cases a certificate executed by proper State or county official of that district is duly organized pursuant to state statutes, and that school concerned is part of said dis-

trict, will be accepted, in lieu of articles of incorporation, as evidence of legal entity of school district. Bond must be signed on behalf of school district, as corporate principal, by a member of governing body of district, and there will be attached to bond, a certified copy of so much of the record of the proceedings of the district governing body as will give the resolution authorizing the individual, designated by name and title, to obligate the school district.

(iv) If district is incorporated, and properly authenticated copy of articles of incorporation can be furnished, the district may execute bond as prescribed in subdivision (i) of this subparagraph, for incorporated school.

(v) Bond may be executed by an individual as principal. Such individual will be one having a directory control over the school such as president, superintendent, trustee, etc. Bond must be accompanied by certificate evidencing his directory control at time bond is executed. This certificate must be signed by some school official other than the individual named as individual principal on the bond. Signature of individual principal must be witnessed. No articles of incorporation are required in case individual acts as principal on bond.

(2) *Care and safekeeping of arms, equipment, etc.* The officials of institutions are responsible for the care and safekeeping of arms, ammunition, and equipment which have been issued to them and for seeing that proper precautions are taken to prevent these Government issues from being improperly used and from falling into the hands of irresponsible persons. Government property will not be removed from the premises of the school to which issued without prior approval of the Director of Civilian Marksmanship.

(3) *Fire insurance.* A school is not required to carry fire insurance. Whether or not the school carries insurance on its Government property will not modify its pecuniary obligations for losses by fire which may result from neglect or loss through the fault of the school. (See § 542.10)

(4) *Lost property surveys.* Government property lost, destroyed, or damaged by fire, flood, theft, tornado, or other similar causes, without fault or neglect on the part of the school, its servants, or employees, or any member of its student body receiving military training, will be replaced at the expense of the United States. To determine whether such loss, destruction, or damage was without fault or neglect on the part of the school, its servants, or employees, or members of its student body receiving military training, a report of survey will be made according to the provisions of §§ 623.111-115a.

(e) *Ammunition and supplies.*—(1) *Annual issues.* To each school, so far as appropriations will permit, not more than the following:

Articles	Remarks. See § 543.2 (c) (4)
Cartridge, ball, cal. .30.....	To be issued to nearest full case on basis of 120 rounds per cadet above 14 years of age firing, but not to exceed 12,000 rounds per school.
Cartridge, ball, cal. .22 long rifle....	To be issued to nearest full case on basis of 200 rounds per cadet firing, but not to exceed 20,000 rounds per school.

<i>Articles—Continued</i>		<i>Remarks. See § 543.2 (c) (4)</i>
Cloth, target, 72 inches wide.....	15 yards per school.	
Disk, target, spotter, 3-inch.....	20 per school.	
Disk, target, spotter, 5-inch.....	10 per school.	
Spindles, target, spotter.....	30 per school.	
Pasters, target, buff or black.....	20,000 per school.	
Targets, paper, outdoor.....	As authorized by the Director of Civilian Marksmanship on basis of course of fire.	
Centers, repair, target.....		
Targets, small-bore, qualification.....		
Targets, gallery, 50 feet.....	1,000 per school.	
Cleaner, rifle bore, 1 qt. can.....	2 qts. per 20 rifles, cal. .30.	
Compound, rust preventive, light.....	10 lbs. per school.	
Oil, lubricating, preservative, Spl.....	1 qt. per 20 rifles.	
Patches, cut, canton flannel.....	100 patches per rifle.	

(2) *Requisitions.* (i) Initial requisition will be submitted by school at time formal application, accomplished bond, and related papers are forwarded to the Director of Civilian Marksmanship. Regardless of date submitted, initial requisition will specify full quantities of items, authorized above, that are required by school. Adjustment in unexpended balance is made on annual requisitions.

(ii) Annual requisitions: (a) Annual allowances are based upon a fiscal or school year from July 1st of one year to June 30th of succeeding year. These allowances are not cumulative.

(b) Requisitions for items authorized by annual allowances and required by school for succeeding year will be based upon pertinent records as to termination of current school year in instant 30th June or thereabouts. These requisitions will show balances on hand, and in "required" column will show the desired quantities, of authorized items required by school, in amounts which, when added to quantities on hand, will not exceed total authorized in inferior subdivision (a) of this subdivision.

(c) Annual requisitions will be dispatched by school so as to reach the Director of Civilian Marksmanship on or before July 31.

(iii) A supplementary requisition may be submitted during year, if necessary, to meet conditions that differ from projection upon which original requisition was based.

(iv) The number of uniformed cadets over 14 years of age receiving military instruction and participating in target practice must be stated on all requisitions.

(3) *Transportation.* The transportation of ammunition and equipment from the Government arsenals to schools and back to Government arsenals will be without expense to the United States.

(f) *Rifles, appendages, and equipment—(1) Care.* The schools to which issues of ordnance stores are made will be required to keep said property in like good and serviceable condition as when issued by the Government, and the spare parts and appendages necessary for this purpose will be sold to them at cost price. Application will be made to the Director of Civilian Marksmanship by the proper official of the school desiring the articles for the maintenance of the arms issued to the school, and he will state that these articles are needed for this purpose. The sales of spare parts and of the appendages necessary for the proper maintenance of the equipment listed in paragraph (b) of this section will be made by the Ordnance Department.

(2) *Transportation.* The transportation of rifles, spare parts, appendages, and other supplies from the Government arsenals to such schools and back to the Government arsenals will be without expense to the United States.

(3) *Inspection.* Rifles, appendages, and equipment therefor which become unfit for use for any cause will be reported to the Director of Civilian Marksmanship. Upon the receipt of such report, the Director of Civilian Marksmanship will issue shipping instructions to the responsible party for the return of the unserviceable arms, appendages, or equipment, to a designated arsenal, shipment to be made without expense to the Government. Upon reaching an arsenal they will be inspected by an officer of the Ordnance Department, and if their condition is found to be due to the ordinary incidents of service they may be replaced with serviceable stores of like character but if their condition is found to be due to carelessness or other than legitimate causes, the extent of damage or value of missing stores will be determined by the receiving officer and reported to the Director of Civilian Marksmanship, who will require payment by the school or the responsible party under the bond before any new issue of rifles or appendages is made.

(g) *Annual reports.* (1) Reports listed below will each cover the period July 1 of one year to June 30 of succeeding year. Reports will be so submitted as to reach the office of the Director of Civilian Marksmanship by July 31 of each year. Forms for these reports will be furnished by the Director of Civilian Marksmanship.

(2) Each school will submit an annual report of firing and report of target practice, through the adjutant general of the State, showing the full name of each student firing and his total score for course fired for record.

(3) An annual inventory of property, issued by the Government to the school, will be submitted by the official accountable for Government property held by school.

(4) Report of inspection made under direction of the adjutant general of State, Territory or District of Columbia, covering qualifications of school to remain eligible for Government assistance, will be forwarded through the adjutant general of State, Territory, or District of Columbia.

(5) Appropriate badges will be issued to cadets qualifying in rifle marksmanship upon application to the Director of Civilian Marksmanship.

(6) Requisition, to be used when requesting annual issues.

(h) *Failure to comply with instructions—(1) In pursuing annual course of rifle practice.* Failure on the part of any school to pursue each year the prescribed course of rifle practice or to comply with the regulations in this part or with any others that may be prescribed by the Director of Civilian Marksmanship, with the approval of the Secretary of the Army, for the use, care, preservation, or accountability of any rifles or appendages, or ammunition therefor, issued to it by the United States, will be considered sufficient cause for the prompt withdrawal by the Secretary of the Army of the Government property in its possession.

(2) *Failure to return property.* Whenever a school fails to return the Government property in its charge within 30 days after demand made by the Secretary of the Army, or within such time as may be designated by him, claim will be made against the bonding company.

§ 543.2 *Issues of rifles, ammunition, etc., to civilian rifle clubs—(a) Rules for organizing clubs.* Rifle clubs may be organized under the rules of the National Board for the Promotion of Rifle Practice, in accordance with the following regulations:

(1) (i) Ten or more physically fit male citizens above the age of 18 years, residing in any locality may organize a senior civilian rifle club.

(ii) Ten or more physically fit male citizens of the United States above 12 years and under 18 years of age (junior club membership is restricted to these ages) residing in any locality, may organize a junior civilian rifle club provided such junior rifle club is recommended by a responsible male citizen above the age of 21 years who will be bonded for all Government property issued to the club and who will serve as club supervisor and instructor in rifle marksmanship. This supervisor and instructor will have previously satisfied the Director of Civilian Marksmanship as to his ability to act in this capacity.

(iii) Ten or more physically fit male citizens above 12 years and under 18 years of age, residing in any locality, may be organized as a junior rifle division of a senior civilian rifle club and may receive the same issues and privileges as a junior rifle club, provided such sponsoring senior rifle club will be responsible and accountable for all property issued, such property to be secured by the senior club's bond. The senior club will appoint a responsible male citizen above the age of 21 years who will serve as junior division supervisor and instructor in rifle marksmanship. This supervisor and instructor will satisfy the Director of Civilian Marksmanship as to his ability to act in this capacity.

(2) The name of a club should be if practicable the same as the city or town and State in which it is organized, as the Auburn (N. Y.) Rifle Club, except where this would conflict with an existing club of the same name.

(3) Bylaws to insure proper administration of the club must be adopted.

(4) Provision must be made for safe storage and use of arms, ammunition, and equipment.

(5) After organization, the club must affiliate with the National Rifle Association of America, in conformity with a resolution of the National Board for the Promotion of Rifle Practice and approved by the Secretary of War, March 23, 1904.

(6) All clubs organized under the rules of the National Board for the Promotion of Rifle Practice will carry on small-arms target practice in accordance with the regulations prescribed by the National Board for the Promotion of Rifle Practice and make annual reports of such practice to the Director of Civilian Marksmanship.

(7) (i) All eligible members of affiliated senior rifle clubs are authorized to fire for qualification as expert, sharpshooter, or marksman, with both the caliber .22 rifle and the caliber .30 rifle. The courses authorized to be fired will be the same as those currently prescribed for the U. S. Army, except as hereinafter specified. The qualifications when reported to the Director of Civilian Marksmanship, on the forms furnished by him, will be recorded and appropriate badges issued.

(ii) All eligible members of affiliated junior rifle clubs are authorized to fire for qualification as expert, sharpshooter, or marksman, the record junior small-bore course as prescribed by the Director of Civilian Marksmanship. The qualifications, when reported to the Director of Civilian Marksmanship on the forms furnished by him, will be recorded and appropriate badges issued.

(iii) The president of a senior civilian rifle club will designate which caliber .22 and/or caliber .30 courses will be fired for record by the members of his club.

(iv) The course or courses so designated may be fired as many times and whenever during the target season as the club president directs, but only the highest complete aggregate score of each individual for each course (caliber .22 and/or caliber .30 rifle) will be reported.

(v) The annual allowance of ammunition will not be increased on account of any rifle club firing the record courses more than once.

(vi) The record practice of a club will be conducted in accordance with the procedure governing record practice as currently prescribed for the U. S. Army, except that any rifle, caliber .22 or caliber .30 having metallic sights and a trigger pull of not less than 3 pounds may be used in firing record practice. The aperture front sight will not be used.

(b) *Issues*—(1) *Arms, ammunition, and appendages.* Arms, ammunition, and appendages will be issued only to such senior rifle clubs as are organized and conduct target practice under the rules of the National Board for the Promotion of Rifle Practice; to such junior clubs as are organized under the rules of the National Board for the Promotion of Rifle Practice and who conduct firing with the caliber .22 rifle; and to organizations sponsoring rifle and pistol tournaments, deemed eligible for such aid by the National Board for the Promotion of Rifle Practice.

(2) *Senior clubs.* To each senior rifle club, so far as appropriations will permit, will be issued not more than the following:

(i) *Initial issue.*

Articles	Remarks. See § 543.2 (c) (4)
Rifle, U. S., cal. .30, M1, with accessories, or rifle, U. S., cal. .30, M1903 or M1903A1.	4 per club. ¹
Rod, cleaning, barrack, M1916	1 per club.
Sling, gun, M1907 or M1	1 per rifle.
Rifle, cal. .22	4 per club. ²
Rod, cleaning, cal. .22 rifle	1 per club. ²
Carrier, target, outdoor	2 per club.
Marker, target, short range	2 per club.
Marker, target, mid range	2 per club.
Flag, danger	1 per club.
Magazine, assembly, extra	1 per rifle. ³
Tool, combination, M3	1 per club.

¹ Where the number of members of any one club who participate in rifle practice in any one year does not exceed 25. If more than 25 members of any club participate in rifle practice in any one year, then 1 additional rifle may be authorized for each additional 10 of such members, or fraction thereof, the total of such rifles issued not to exceed 8 to any one club. Model of rifle issued to be determined by the Director of Civilian Marksmanship.

² Only when sufficient quantities are available above the needs of schools and junior rifle clubs.

³ To fit model of .22 caliber rifle issued.

Additional target carriers, marking disks, and flags may be used when, in the opinion of the Director of Civilian Marksmanship, the range facilities, the membership of the club, and its activities warrant such issue.

(ii) *Annual issue.*

Articles	Remarks. See § 543.2 (c) (4)
Cartridges, ball, cal. .30	To be issued to nearest full case on basis of 120 rounds per member firing, but not to exceed 12,000 rounds per club.
Cartridges, ball, cal. .22, long rifle	100 rounds per member firing, but not to exceed 10,000 rounds per club.
Cloth, target, 72 inches wide	15 yards per club.
Disk, target, spotter, 3-inch	20 per club.
Disk, target, spotter, 5-inch	10 per club.
Spindles, target, spotter	30 per club.
Pasters, target, buff or black	20,000 per club.
Targets, paper, outdoor	As authorized by the Director of Civilian Marksmanship on basis of course of fire.
Centers, repair, target	
Targets, small-bore, qualification	1,000 per club.
Targets, gallery, 50 foot	
Cleaner, rifle bore	2 qts. per club.
Grease, lubricating, rifle (RS) 5cc container	2 per M1 rifle.
Oil, linseed, raw	1 qt. per club.
Oil, lubricating, preservative, special (PS)	2 qts. per club.
Patches, cut, cotton flannel	400 per weapon.
Soap, saddle	1 lb. per club.

(3) *Junior club.* To each junior rifle club, so far as appropriations will permit, will be issued not more than the following:

(i) *Initial issue.*

Articles	Remarks. See § 543.2 (c) (4)
Rifle, cal. .22 ¹	2 per club. ²
Rods, cleaning, cal. .22, M1 or M2	1 per 2 rifles.
Slings, gun, M1907 or M1	1 per rifle.
Magazine, assembly, extra	1 per rifle. ³

¹ Rifle, U. S. caliber .22 and/or any rifle, caliber .22 available at time of issue, every effort being made to ascertain that all caliber .22 rifles issued to one club will be the same make and model.

² If more than 10 members of a junior rifle club participate in target practice in any one year then 1 additional rifle for each additional 5 of such members, the total of such rifles issued not to exceed 10 to any junior club.

³ To fit model of caliber .22 rifle issued.

(ii) *Annual issue.*

Articles	Remarks. See § 543.2 (c) (4)
Cartridges, ball, cal. .22, long rifle	To be issued to nearest full case on basis of 400 rounds per member firing, but not to exceed 40,000 rounds per club.
Targets, gallery, 50 foot	5,000 per club.
Cleaner, rifle bore	1 qt. per club.
Oil, lubricating, preservative, cpl	1 qt. per club.
Patches, cut, cotton flannel	2,000 per club.

(4) *Issues to rifle clubs at schools.* Issues to rifle clubs at schools will be made only upon request of the principal or president of the school.

(5) *Issue of additional equipment.* When considered by the Director of Civilian Marksmanship to be essential, issue of additional equipment may be made to

member schools and clubs, for use in tournaments conducted within the intent and scope of the regulations governing the promotion of small arms among civilian citizens. Additional issues also may be made of ammunition, target materials, and range supplies in types and quantities warranted by activities and approved by the Director of Civilian Marksmanship.

(c) *Requisitions*—(1) *Annual issues*. All annual issues will be made upon requisition to the Director of Civilian Marksmanship.

(2) *Ammunition*. Allowances not drawn in one year cannot be drawn in the succeeding year. In submitting requisitions for ammunition, the number of members in the rifle club participating in target practice must be stated.

(3) *Arms, appendages, and target material*. Issues of arms, target carriers, and other target material will be made upon requisition to the Director of Civilian Marksmanship, submitted by an officer of a club. Such requisitions must state the number of members of the club in good standing and, if an initial issue, must be accompanied by a description of the tract available for an outdoor range, including location and protection afforded nearby residents; whether owned or leased by club, and if leased the number of years covered by same. A similar report must be submitted as to an indoor range when requisition is made for material for such.

(4) *Appropriation by Congress of necessary funds*. The issues herein authorized are dependent upon the appropriation by Congress of the necessary funds to cover the procurement and issue thereof.

(d) *Bonds*. No issues of the above equipment will be made to any rifle club until an approved and accepted bond on form provided by the Director of Civilian Marksmanship has been filed, providing that the club will take good care of, safely keep, and account for the property and will, when required by the Secretary of War, duly return the property within 30 days in good order, to the Chief of Ordnance, or to such other officer or person as the Secretary of the Army may designate. Bond filed by a junior club will be in the penal sum of \$500, and hereafter bond filed by a senior club will be in the penal sum of \$1,000. The bond submitted as security for issues to an unincorporated rifle club will be executed by an individual as principal. The bond submitted as security for issues to a rifle club duly organized as a corporation under laws of a State or Territory may be executed by an individual as principal, or by the corporation as principal, the corporation's name thereto to be signed by its president, or other officer so authorized to act, attested by its secretary or other club official and the corporate seal duly affixed, pursuant to a resolution duly passed by the corporation's board of directors or other governing body. Whenever a rifle club is sponsored by a parent organization, e. g., an athletic club or fraternal organization, which sponsoring organization is incorporated, the sponsor may execute the bond under the same conditions as set forth above for an incorporated rifle club. If the school, club,

or corporate principal has no seal, a statement to that effect must be made on the lower left corner of page 2 of the bond form. A copy of so much of the record of the proceedings of such board of directors or other governing body showing such resolution and its adoption, duly certified by the secretary, and a copy of the articles of incorporation of the club duly certified by the Secretary of the State of incorporation or other comparable officer having custody of the original of such instruments, will accompany such bond. The value of the bond not only will be large enough to cover the value of the initial issue but also such issues as may be made at a later date. Issue of ammunition, paper targets, and other expendable material listed in paragraph (b) (2) (i) and (b) (3) (ii) of this section will be made without bond.

(e) *Property*—(1) *Transportation*. The transportation of rifles, spare parts, appendages, and other supplies from the Government arsenals to clubs and back to the Government arsenals will be without expense to the United States.

(2) *Upkeep*. The rifle clubs to which issues of material are made will be required to keep said property not expended in target practice in like good and serviceable condition as when issued by the Government, and for this purpose the spare parts, implements, and appendages necessary for the purpose will be sold to them at cost price. The sales authorized above of spare parts and appendages for small arms will be made by the commanding officer of the Rock Island Arsenal, Rock Island, Ill., or of the Springfield Armory, Springfield, Mass. Applications will be made for the purchase of the necessary spare parts and appendages to the Director of Civilian Marksmanship by the proper official of the rifle club desiring the articles for the maintenance of the arms issued to the club, and he will state that these articles are needed for this purpose.

(3) *Unserviceable*. (See § 543.1 (f) (3).)

(4) *Return*. Whenever any club fails to return the arms and appendages therefor in its charge within 30 days after demand made by the Secretary of the Army, or within such time as may be designated by him, claim will be made against the bonding company.

(f) *Annual reports*. Clubs will submit annually, as directed by the Director of Civilian Marksmanship, an inventory of U. S. property and a report of firing. These reports will be rendered by the officer accountable for property of each rifle club, on forms supplied by the Director of Civilian Marksmanship. If no U. S. property has been received by the club, statement to that effect will be entered on inventory report form. If no firing has been conducted, information to that effect will be entered on report of firing form. Where issues are made to schools, the accountable officer will be the president or principal thereof.

(g) *Range facilities*. A description of range facilities will be submitted by each club and school when applying for enrollment and any change of such range facilities will be reported.

(h) *Failure to comply with regulations*. Failure on the part of any rifle club to comply with the foregoing regulations, or with any others that may be prescribed by the Director of Civilian Marksmanship, with the approval of the Secretary of the Army, for the use, care, preservation, or accountability of any equipment issued to it by the United States, will be considered sufficient cause for the prompt withdrawal by the Secretary of the Army of the Government property in its possession and removal of the club from the active rolls.

§ 543.3 *Use of rifle ranges for rifle practice by civilians*—(a) *General provisions*. All rifle ranges at posts of the United States Army, and all rifle ranges which have been constructed in whole or in part with funds provided by Congress, will be open for use by rifle clubs, schools, colleges, and other responsible organizations. Rifle ranges will be open for use by such organizations only at such times as they are not actually required for the use of the Army. For the purpose of the regulations in this part, rifle ranges are divided into two classes—those at which there is stationed personnel of the Regular Army and those at which there is no such personnel.

(b) *Applications for use of rifle ranges*. Application for the use of a rifle range at which there is stationed personnel of the Regular Army should be addressed to the Director of Civilian Marksmanship, Department of the Army, Washington, D. C., by the president, secretary, or executive head of the organization desiring the use of the rifle range. The Director of Civilian Marksmanship, when satisfied as to the responsibility of the organization, will furnish the president, secretary, or executive head thereof with a letter addressed to the commanding officer of the post at which the rifle range is located, approving the application, subject to such local regulations as the commanding officer may prescribe. The president, secretary, or executive head of the organization should then address a letter to the commanding officer of the post, inclosing the approval of the Director of Civilian Marksmanship, and setting forth the date or dates on which the organization desires to use the rifle range, the particular ranges at which it is desired to fire, what kind of targets are desired at each range, whether instructors are desired, and whether or not the organization will furnish its own arms and ammunition. The commanding officer will reply, stating whether or not the rifle range will be available on the dates requested or, if not, the dates on which it will be available; which, if any, of the facilities requested can be furnished; and to whom the organization should report on arrival at the rifle range. Subsequent applications for the use of the rifle range by the same organization may be conducted in a less formal manner as agreed to by the range authorities and the organization.

(c) *Personnel and target materials*. Commanding officers at all posts provided with rifle ranges will detail an officer in charge of civilian rifle practice, with such assistants as may be necessary.

The officer in charge will be responsible for the proper use and preservation of all Government property involved, that the local regulations are observed, and that the proper precautions for safety are observed by all civilians using the rifle range. When the personnel of the Regular Army present will permit of such assistance, the commanding officer, on request, will detail instructors in marksmanship. Details for marking the targets will not be furnished. Organizations will make the necessary arrangements for the manual labor incident to the operation of the rifle range. The necessary and regular target material will be provided unless the organization elects to provide its own target material. Special target material, such as special targets, field glasses, telescopes, score books, etc., must be provided by the organization. Organizations may desire to use arms, ammunition, methods of firing, and target arrangements at variance with those prescribed for the Regular Army. To this there is no objection, provided the precautions for safety are observed and no expense to the United States is involved, and provided that the normal target arrangement is reestablished by the organizations at such times as may be indicated by the range authorities.

(d) *Issue and care of arms.* (1) Commanding officers, when necessary, will make requisition for U. S. rifles, caliber .30, M1903, and appurtenances for civilian target practice on the basis of four rifles for each target available on the range, but not to exceed 50 rifles for any one post. Such rifles will be issued daily to members of organizations who apply for the use of the same. Civilians using these rifles will be required to complete their daily practice at such time as will permit of their properly cleaning the rifle before leaving the rifle range, and such care and preservation of the arm by the individual using the same will be considered as a necessary part of his instruction and will be required.

(2) Issues of arms and target material at posts authorized in this section may be made by commanding officers without inquiring as to the availability of funds, as any cost adjustments necessary will be made within the Department of the Army.

(3) For use of authorized civilian participants in major competitions approved by the army commander, suitable arms will be made available under conditions to be prescribed by the army commander.

(e) *Ammunition.* Organizations using such rifle ranges must furnish their own ammunition or ammunition furnished by the Director of Civilian Marksmanship as provided in §§ 543.1 (e) and 543.2 (b). More than one allowance of ammunition will not be issued to an individual or organization by the Government.

(f) *Record practice for qualification.* When necessity therefor arises, the commanding officer may designate a day or days when members of organizations may participate in record practice for qualification as prescribed in Field Manuals. The necessary personnel to supervise and record the firing at the butts and firing point will be provided. Certified scores

will be forwarded to the Director of Civilian Marksmanship, who will issue the badges for qualification.

(g) *Denial of privileges in certain cases.* Commanding officers will deny the privileges of the range and post to any civilian who willfully disobeys any of the rules and regulations prescribed for the use of the rifle range, or whose conduct on the rifle range or post is such as to warrant such action. Commanding officers are also authorized to refuse the use of the rifle range to any individual whose knowledge of the basic principles of rifle shooting is so lacking that range practice will be of no value to him or unsafe to himself or others; but in such cases will offer the individual the services of an instructor in basic principles necessary as a preparation for range firing.

(h) *Additional rules to be prescribed.* Commanding officers are authorized to prescribe such additional and necessary rules and regulations as may be necessary, keeping in mind that it is the intention of Congress that, so far as is consistent with the proper training of troops, the range facilities and personnel of the Army shall be available for the instruction in rifle practice of all able-bodied male citizens capable of bearing arms. Whether or not rifle ranges shall be open for practice by civilian organizations on Sundays and holidays is left to the commanding officer.

(i) *Use of ranges where no Regular Army personnel is present.* Organizations who desire to use rifle ranges located at posts, camps, stations, or other places at which there is no personnel of the Regular Army present will make application for the necessary authority to the Director of Civilian Marksmanship. The Director of Civilian Marksmanship will make the necessary arrangements with The Adjutant General, or other authorities, and will communicate to the applicant the rules and details under which the said rifle range may be used. Organizations using such rifle ranges must provide their own arms, ammunition, and target materials, or arms, ammunition, and target materials obtained through the Director of Civilian Marksmanship, as provided by law.

§ 543.4 *National Board for the Promotion of Rifle Practice.*—(a) *Composition.* The National Board for the Promotion of Rifle Practice will consist of not more than 21 members, to be appointed by the Secretary of the Army from time to time from representatives of the Army and Navy Departments, the Army, Navy, Marine Corps, National Guard, Organized Reserves, National Rifle Association, and the country at large.

(b) *President.* The Assistant Secretary of the Army (Act of March 5, 1890, 26 Stat. 17; 5 U. S. C. 182) will be president of the board.

(c) *Executive committee.* An executive committee consisting of three members of the board will be appointed by the president of the board at each of the annual meetings of the board to serve until the next annual meeting. The committee will, during such times as the board is not in session, act for the board on all matters referred to it by the president of the board, and its action when

approved by the president of the board will become binding on the board.

(d) *Executive officer.* The executive officer will be selected by the president of the board from among the members of the board. He will be recorder of the board, and under the direction of the president of the board, will conduct its detailed business, make all contracts and agreements covering the expenditures of public funds, in accordance with law and regulations, and be responsible for the preparation of the annual report of the Secretary of the Army to Congress concerning the operations of the board.

(e) *Members to serve without compensation.* Members of the board will serve without compensation as such, other than reimbursement of necessary authorized expenses.

(f) *Expenditure projects.* Expenditures of funds pertaining to the board will be made only in accordance with expenditure projects prepared by the executive officer in accordance with law and regulations and approved by the president of the board.

(g) *Duties.* Subject to approval by the Secretary of the Army, the board is authorized, within the limits of available appropriations, to (1) Construct, equip, maintain, and operate indoor and outdoor rifle ranges and their accessories and appliances, provided that each project shall have the prior approval of the Secretary of the Army. (2) Provide for the instruction of able-bodied citizens of the United States in marksmanship, and in connection therewith to employ the necessary instructors. (3) Provide for the promotion of practice in the use of small arms by maintaining and managing matches or competitions in the use of such arms, issuing in connection therewith the necessary arms, ammunition, targets, and other necessary supplies and appliances, and awarding to competitors, trophies, prizes, badges, and other insignia, and assisting recognized associations, organized for such purposes, in the conduct of their matches or competitions by the use of the employees, materials, medals, badges, and insignia of the National Board for the Promotion of Rifle Practice. (4) Sell to members of the National Rifle Association at cost to the Government, subject to the approval of the Director of Civilian Marksmanship, and to issue to clubs organized for practice with small arms, under the direction of the National Board for the Promotion of Rifle Practice, and in accordance with Department of the Army regulations, rams, spare parts, ammunition, targets, and other supplies and appliances necessary in target practice. (5) Provide for the maintenance of the National Board for the Promotion of Rifle Practice, including provisions for the necessary expenses thereof and of its members. (6) Procure such necessary materials, supplies, appliances, trophies, prizes, badges, and other insignia, clerical and other services, and labor as the Secretary of the Army may authorize from time to time for the promotion of rifle practice. (7) Provide for the transportation of employees, instructors, and civilians to give or undergo instruction or to assist or engage in practice in the use of small arms, and for the transportation and sub-

sistence, or commutation in lieu of subsistence, of members of teams especially authorized by the Secretary of the Army to participate in matches or competitions in the use of small arms.

§ 543.5 *Rifle and pistol competitions in schools and colleges*—(a) *General*. Educational institutions maintaining units of the Reserve Officers' Training Corps and other schools and colleges conducting military training under the supervision of the Department of the Army will conduct instruction with the rifle and the pistol in accordance with the respective programs of training prescribed by the Secretary of the Army.

(b) *Rifle clubs and local matches*. It is desirable that Reserve Officers' Training Corps units and the cadet corps of other schools and colleges should form rifle clubs and affiliate with the National Rifle Association and enter its competitions. Competitive rifle and pistol matches will be arranged so as to inspire a wholesome spirit of rivalry between individuals, organizations, units, and institutions. Local matches should be frequent and so organized as to give them the same standing and recognition accorded athletic competitions. The allowances of ammunition for schools and colleges are prescribed in tables of allowances. No extra ammunition will be allowed for competitions.

(c) *Annual indoor rifle matches*—(1) *Indoor rifle matches*. A series of indoor rifle matches will be conducted each year so far as may be practicable among those institutions conducting military training under the supervision of the Department of the Army which have the proper facilities and where conditions are otherwise favorable. For this purpose the institutions will be grouped as follows:

(i) Senior units in universities and colleges (classes CC, MC, and JCMI)

(ii) Junior units in essentially military schools (classes MS and MI)

(iii) All other junior units (class CS) and those schools and colleges organized under section 55c, National Defense Act, and section 1225, Revised Statutes. The institutions located in the areas of the United States Armies, Alaska and Pacific, will compete with those of the Sixth Army Area and the institutions located in the area of the United States Army, Caribbean, will compete with those of the Third Army Area.

(2) *Intramural matches*. From October 1 to December 31, annually, the institutions will conduct intramural matches to determine the relative standing of individual students, of organizations, of units, or of other groups, etc., as the officer in charge may deem advisable. The regulations for the matches, the awarding of prizes, etc., will be arranged by the officer in charge. It is suggested that approximately the first two-thirds of the period be devoted to individual instruction and competitions and that the last one-third be devoted to team matches.

(3) *Army area intercollegiate and interscholastic matches*. From December 1 to March 1, annually, institutions in each group listed in subparagraph (1) of this paragraph will fire matches with the other institutions of their group in

the same army area under such regulations as the army commander may prescribe, the object being to rate the relative marksmanship of the institutions. The institutions should be encouraged to enter as many competitors and teams as may be practicable. The marking targets, announcing scores, awarding prizes, etc., will be arranged and prescribed by the army commander. During this period, institutions will be encouraged to fire separate intercollegiate matches within the army area under such conditions as they may agree upon. The National Board for the Promotion of Rifle Practice will award badges for army area ROTC rifle championship matches. The course of fire, composition of competing teams, and other conditions will be as prescribed in subparagraph (4) of this paragraph for the national ROTC matches. At the conclusion of the army area ROTC matches, the results will be reported to the National Board for the Promotion of Rifle Practice, which will then forward to the army commanders 10 medals for the winning team in each group in which at least 3 teams complete the match under the conditions prescribed.

(4) *National ROTC intercollegiate and interscholastic matches*—(i) *When fired and report of entries*. Between March 1 and March 31, annually, the national intercollegiate team matches will be conducted under the supervision of the National Board for the Promotion of Rifle Practice for each of the groups listed under paragraph (a) of this section. Entries for these matches will be reported by service commanders to the executive officer, National Board for the Promotion of Rifle Practice, Department of the Army, Washington 25, D. C., as soon after the completion of the service command matches as practical. In any case they will be forwarded by March 1.

(ii) *Composition of teams*. Each team will consist of a minimum of 10 and a maximum of 15 members who are students regularly enrolled in the ROTC of the institution which they represent, and students pursuing the ROTC course under the provisions of § 562.17 of this chapter. The 10 high scores in each stage will constitute the team score for that stage. For this competition, each army commander will designate for each group in his army area the high one-third of the number of teams which competed in that group in the Army area ROTC matches. More than one team may be selected from an institution, in which case they will be designated and named accordingly. A student will fire as a member of one team only. The members of a team will be designated prior to record firing and no substitutions will be made for any member after a team has started record firing. Disqualification of a team member automatically disqualifies the entire team.

(iii) *Stage of competitions*. The competition will consist of 4 stages, each stage consisting of 2 series of 10 record shots each. One stage will be fired each week until the four stages have been completed. If it is found that the firing of one stage each week is impracticable, the army commander, on application made to him, is authorized to make such

changes in the time of firing each stage as will be most appropriate and equitable in each particular case: *Provided*, That no two stages will be fired in any one day and that all four stages of any competition are fired between March 1, and March 31, of any one year. Each competitor will use 1 target for each series of 10 shots, firing 1 shot for record on each of the 10 bull's-eyes. Before a competitor starts firing a record target, it will be announced that this firing will constitute a record score for the match. Once commenced, the record score on a target must be completed on the same target. Under no circumstances may it be repeated. The stages are as follows:

(a) *First stage*. Ten shots for record, slow fire, prone; 10 shots for record, slow fire, sitting.

(b) *Second stage*. Ten shots for record, slow fire, prone; 10 shots for record, slow fire, kneeling.

(c) *Third stage*. Ten shots for record, slow fire, prone; 10 shots for record, slow fire, standing.

(d) *Fourth stage*. Ten shots for record, slow fire, kneeling; 10 shots for record, slow fire, standing.

(iv) *Range*. Fifty feet from firing point to the face of the target when hung in their customary position in front of the backstop the muzzle of the rifle should not extend in front of the firing line.

(v) *Sighting shots*. Sighting shots may be fired prior to each record target. However the target used for sighting in firing will be removed from the frame or covered before any of the record shots are fired.

(vi) *Position*. In all positions the butt of the rifle must be placed against the shoulder on the outside of the coat. A firm flat pad (gymnasium mat) may be placed on the floor, platform, or shooting bench. All references to "the ground" in the following position rules are to be construed as applying to such shooting mats, platforms, or benches. Those portions of the shooter's body supporting his weight must be entirely on the mat (both feet in the standing position—left foot and right knee and foot or right foot and left knee and foot in the kneeling position—both feet and buttocks in the sitting position—both elbows, chest and pelvic bones in the prone position).

(a) *Standing*. Erect on both feet. No other portion of the body receiving artificial support. The rifle will be supported by both hands and one shoulder only. The forward hand will be extended so that the arm will be entirely free from touching or resting against the body.

(b) *Kneeling*. Weight of the body supported on right knee and foot and left foot, or left knee and foot and right foot; no other part of the body to touch the ground. Sitting on the side of the foot instead of the heel will be permitted. The rifle will be supported by both hands and one shoulder only. The elbow supporting the piece will be approximately on, in front of, or just inside the knee. The elbow of the trigger arm will be free from all support.

(c) *Sitting*. Weight of the body supported on buttocks and feet. No other portion of the body to touch the ground.

Rifle to be supported by both hands and one shoulder only. The left hand (or in the case of a left-handed shooter, the right hand) must not rest on leg or knee. Elbows resting approximately on, or just inside the knee. Legs to be apart or crossed at the option of the firer.

(d) *Prone.* Body extends on the ground, head toward the target, rifle supported by both hands and one shoulder only, both elbows on the ground. No portion of the arms below the elbows will rest upon the ground or any artificial support nor may any portion of the rifle or body rest against any artificial support. All parts of the rifle must be so positioned that the range officer can pass his hand from the rear of the gun between the lowest part of the rifle and the ground or ground cloth without touching the rifle.

(vii) *Targets.* Official targets for these matches will be furnished by the National Board for the Promotion of Rifle Practice to each service commander. Immediately after January 1, annually, each army commander will submit to the executive officer, National Board for the Promotion of Rifle Practice, Washington 25, D. C., a requisition for the sets of targets required by his teams competing in the national intercollegiate matches. The requisition will be for one-third the number of entries from each group participating in his army area matches. On receipt of the requisition, the sets will be forwarded to each army commander for distribution to the teams which will represent them in the national intercollegiate team matches.

(viii) *Rifles.* Any rifle using a rim-fire cartridge and lead or alloy bullet not larger than .23" in diameter, not less than 3-pound trigger pull, barrel not greater than 30 inches, without Schuetzen type butt plate or palm rest.

NOTE: A Schuetzen butt plate is any butt or butt plate designed with a curved surface against the shoulder of the shooter (or with a knob or knobs or prong or prongs giving the effect of a curved surface), in which the depth of the curve when measured from a straight line drawn from the top to the bottom of the butt plate exceeds $\frac{1}{2}$ inch; or any butt or butt plate having a hook or stud engaging in a hold or receptacle in the shoulder, of the shooting coat or shirt.

A palm rest is any attachment or extension below the fore end which aids the normal hand grip and support of the piece by the left hand and arm (or in the case of the left-handed shooter by the right hand and arm).

(ix) *Sights.* Metallic; any sight (including tube sights) not containing a lens or system of lenses; except a single lens may be attached to the rear sight by a substitute for prescribed spectacles.

(x) *Trigger pull.* Not less than 3 pounds. To test trigger pull the gun will be held with barrel perpendicular to the horizontal surface on which the test weight is supported. The rod or hook of the test weight will rest on the lowest point of the curve in curved triggers or on a point approximately one-quarter of an inch from the lower end of straight triggers. To pass the weight test a gun will lift the weight from the horizontal surface on which it is resting, until the weight hangs free.

(xi) *Sling.* The sling may be used in all positions in connection with one arm only.

(xii) *Ammunition.* Any .22-caliber rim fire.

(xiii) *Time.* The time will be computed on the basis of 1 minute for each shot multiplied by the number of shots prescribed on a target. Once a student has started records firing on a target, the firing on this target must be completed within the limit of 10 minutes.

(xiv) *Rest or supports.* No rests or artificial supports will be used.

(xv) *Witnesses and certificates.* The firing of every record score must be witnessed by an Army officer on the faculty of the institution, if available. If no Army officer is available, and the head of the institution so certifies, the record firing may be witnessed by another member of the faculty who will be named by the head of the institution. The witness will verify the range, and satisfy himself that the competitor's rifle, ammunition, and position meet the requirements of this part and that all other conditions of the record firing have been complied with. The witness will also cause the triggers to be tested prior to each record firing. The competitor must sign each record target that he fires on and the witness must certify on it that all conditions of record firing have been complied with.

(xvi) *Disposition of targets.* After completion of the firing of each stage of the national ROTC team match, the targets will be signed by the officer supervising the firing, and returned to army headquarters for official scoring. Only targets issued and marked by the National Board for the Promotion of Rifle Practice will be used for record firing in this match. The same number of targets received must be returned to army headquarters. Failure to return the same number of targets as received, whether used or not, will be grounds for disqualification of the team.

(xvii) *Marking and scoring.* The maximum possible score on each target is 100. In scoring a shot hole the lead edge of which comes in contact with the outside of the bull's-eye or scoring rings of a target is given the higher value. For close shots a scoring gauge will be used. The diameter of the scoring flange on the scoring gauge will be within the limits of .0220"-.0224" respectively. Only those hits which are visible will be scored. Hits outside the scoring rings are scored as misses.

(xviii) *Report of firing by army.* At the conclusion of the matches the results of each stage of firing of competing teams will be reported by each army area to National Board for the Promotion of Rifle Practice, which will consolidate all reports received and announce the winners in each group.

(xix) *Prizes.* Based on the total number of points made by each team in the four stages, a team trophy will be awarded to the winner in each of the three groups and a medal to 10 firing members of the teams to the number of one-tenth of the total number of teams in each group completing the competition.

(xx) *Other conditions.* Where conditions arise that are not covered by the

above rules and regulations the latest small bore rifle rules of the National Rifle Association, Washington, D. C., will apply.

(5) *Other matches.* During the period that the national intercollegiate matches are being held, institutions will be encouraged to fire separate matches with institutions in other sections of the country.

(d) *Annual outdoor matches.* Outdoor rifle and pistol firing will be conducted at favorable seasons of the year, so far as may be practicable, in accordance with the prescribed regulations of the Department of the Army. Army area commanders will arrange matches for those institutions having suitable range facilities. These matches should seek to develop teams to represent the institutions in the intercollegiate matches held in the Reserve Officers' Training Corps camp preliminary to the annual national matches conducted by the National Board for the Promotion of Rifle Practice. The institutions should be encouraged to place such competitions on an equality with athletic competitions.

§ 543.6 *Targets and target equipment*—(a) *National Guard, Organized Reserve Corps, Reserve Officers' Training Corps, and schools operating under section 55c, National Defense Act*—(1) *General provisions.* (i) The types of target materiel authorized for the Regular Army are also prescribed for use in target practice by the National Guard, Organized Reserve Corps, Reserve Officers' Training Corps, and schools operating under section 55c, National Defense Act: *Provided,* That no issues or expenditures of target materiel for these purposes will be made until the officer immediately responsible for such issues and expenditures has satisfied himself that funds are available for the payment in full for all items designated as reimbursable in Ordnance Department Field Service Bulletins or in similar Air Force instructions, for any expenses incident to the issue of target materiel, and for the repair of any damage to Regular Army target materiel incident to its use by these components and auxiliaries.

(ii) Funds to provide target materiel for the National Guard, Organized Reserve Corps, Reserve Officers' Training Corps, and schools operating under section 55c, National Defense Act, are allotted to commanding generals of army areas and commanders of exempted stations. If definite instructions have not been received by the officer immediately responsible for the issue, expenditure, or use of target materiel from the proper commander to whom funds have been allotted, such responsible officer will apply to such commander before actually authorizing the issue, expenditure, or use of target materiel by these components and auxiliaries.

(iii) When requisitioning for target materiel, separate requisitions should be prepared and submitted for each component and auxiliary coming under the provisions of this paragraph to facilitate compliance therewith.

(2) *Allowances.* The maximum allowances of target materiel authorized for use for the National Guard, Organ-

ized Reserve Corps, Reserve Officers' Training Corps, and schools operating under section 55c, National Defense Act, are as follows and will not be exceeded without the authority of the Department of the Army.

(i) *Reserve Officers' Training Corps.* Subject to the provisions of subparagraph (1) of this paragraph, commanders of army areas and exempted stations are authorized to issue for use by Reserve Officers' Training Corps units and camps such articles of target matériel as are appropriate for the practice to be conducted. The matériel issued unless otherwise prescribed should not exceed the maximum authorized for use in a corresponding amount of similar practice by the Regular Army.

Subject to the provisions of subparagraph (1) of this paragraph, targets, landscape, sets, are authorized at not to exceed one set to each 200 student members or fraction thereof of senior division units of Infantry, Cavalry, and Corps of Engineers, but not more than three sets will be issued to any one unit.

(ii) *National Guard and Organized Reserve Corps.* Subject to the provisions of subparagraph (2) of this paragraph, such parts of the corresponding maximum authorizations for the Regular Army as are required are authorized.

(iii) *Schools operating under section 55c, National Defense Act.* Such allowances of target matériel of types authorized for the Regular Army as may be approved by commanding generals of army areas may be issued: *Provided*, that such issues will be made only in lieu of a corresponding monetary reduction of the ammunition allowances for the institution desiring the target matériel.

(b) *Civilian rifle clubs and miscellaneous schools and organizations—*(1) *Types and allowances authorized—*(i) *Schools operating under the Act of April 27 1914 (38 Stat. 370; 10 U. S. C., 1185)* (See § 543.1.)

(ii) *Civilian rifle clubs.* (See § 543.2.)

(iii) *Civilians using rifle ranges.* (See § 543.3.)

(iv) *Rifle and pistol competitions in schools and colleges.* The types of targets authorized for small bore matches and competitions are the National Rifle Association gallery targets for 50 and 75 feet. These targets are obtained through the executive officer, National Board for the Promotion of Rifle Practice.

Target and target equipment for outdoor rifle and pistol firing are the same as are provided for the Regular Army for rifle and pistol marksmanship courses and competitions.

(2) *Storage and issue of special targets and target equipment.* Special targets and target equipment procured by the National Board for the Promotion of Rifle Practice and issued or sold by that board, or under the direction of the Director of Civilian Marksmanship, may be stored and issued by the Ordnance Department when requested by proper authority: *Provided*, That in the opinion of the Chief of Ordnance such storage is practicable and that the Ordnance Department is reimbursed in full by the National Board for the Promotion of Rifle Practice for all expenses incident to the handling of the equipment.

(3) *State soldiers' and sailors' orphans' homes and State and Territorial educational institutions.* No issue of targets and target equipment is authorized.

§ 543.7 *Awards.* (See Part 578, Subchapter F of this chapter.)

[SEAL] EDWARD F. WITSELL,
Major General,
The Adjutant General.

[F. R. Doc. 48-9043; Filed, Oct. 11, 1948;
9:01 a. m.]

TITLE 36—PARKS AND FORESTS

Chapter II—Forest Service, Department of Agriculture

PART 201—NATIONAL FORESTS

MARQUETTE NATIONAL FOREST

CROSS REFERENCE: For order affecting the tabulation contained in § 201.1 by adding certain public lands to the Marquette National Forest, see Public Land Order 523 in the Appendix to Chapter I of Title 43, *infra*.

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

Appendix—Public Land Orders

[Public Land Order 523]

MICHIGAN

ADDITION OF CERTAIN LANDS TO MARQUETTE NATIONAL FOREST

By virtue of the authority vested in the President by section 24 of the act of March 3, 1891, 26 Stat. 1103, and section 1 of the act of June 4, 1897, 30 Stat. 34, 36 (16 U. S. C. 471, 473) and pursuant to Executive Order No. 9337 of April 24, 1943, and upon recommendation of the Secretary of Agriculture it is ordered as follows:

The following-described public lands, within the Fort Brady Target Range Military Reservation established by Executive order of January 19, 1895, are hereby added to and reserved as a part of the Marquette National Forest, established by Proclamation No. 1938 of February 12, 1931, 46 Stat. 3050:

Provided, however That such lands shall remain subject to military use as provided by section 9 of the act of June 7, 1924, 43 Stat. 655 (16 U. S. C. 505), and shall be administered in the manner provided by Executive Order No. 4243 of June 5, 1925, establishing a part of the Fort Brady Target Range Military Reservation as a national forest:

MICHIGAN MERIDIAN

T. 46 N., R. 4 W.,
Sec. 30, S½N½, NE¼SW¼ and N½SE¼.

The areas described aggregate 277.11 acres.

C. GIRARD DAVIDSON,
Assistant Secretary of the Interior.

OCTOBER 4, 1948.

[F. R. Doc. 48-9016; Filed, Oct. 11, 1948;
8:47 a. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service, Department of the Interior

Subchapter C—National Wildlife Refuges; Individual Regulations

PART 30—ALASKA REGION NATIONAL WILDLIFE REFUGES

ALEUTIAN ISLANDS NATIONAL WILDLIFE REFUGE, ALASKA

Basis and purposes. On the basis of observations, reports, and recommendations from local residents and representatives of the Alaska Game Commission and the Fish and Wildlife Service, it is considered to be in the best interests of Government to eliminate both the fee of \$1.00 now required to be paid for each fox removed from the Aleutian Islands National Wildlife Refuge and the requirement that all fox skins be sealed with a metal seal. At the same time it is considered advisable to modify and clarify certain requirements relating to corporate structure and to appeals. Accordingly, § 30.10 is amended to read:

§ 30.10 *Aleutian Islands National Wildlife Refuge, Alaska—*(a) *Temporary use.* Any person may, without a permit, go upon any of the islands of the refuge (1) for temporary use for camp site purposes and for shelter in cases of emergency; (2) for recreational purposes including the taking of photographs, nature study, scientific study, and fishing; (3) and for any other temporary or transient uses not inconsistent with the purposes for which the refuge was established and not in conflict with the provisions of this section or other applicable laws and regulations.

(b) *Economic uses.* The Regional Director may grant permits authorizing the use of lands or other special privileges within the refuge, when in his opinion the operations thereunder will not endanger the object for which the refuge was established, for such duration and under such conditions as he may determine to be commensurate with the value of the privilege granted, having due regard to prevailing market prices: *Provided*, That no permit issued by the Regional Director shall be considered as a waiver of any of the requirements of the Alaska Game Laws: *And provided further*, That any permit which authorizes grazing shall require that no sheep or other livestock shall be introduced within the refuge under such permit unless such stock is free of external parasites, including lice, scab mites, true ticks, and sheep ticks: *And provided further*, That no permit to engage in stock raising or fur farming will be granted to an alien individual or to a corporation or company more than 50 percent of which is owned directly or beneficially by an alien or aliens, and the acquisition by any alien or group of aliens of more than 50 per cent of the beneficial interest in any permit, or the transfer of any stock or other evidence of ownership in a corporation or company holding a permit which results in the direct or beneficial ownership by an alien or aliens of more than 50 per cent of the interest in such corporation or company, shall automati-

cally cancel such permit subject to the right of the Federal Government to recover all fees due and to have all other outstanding obligations of the permittee performed, and subject to the right of the permittee to remove its property pursuant to the provisions of paragraph (i) of this section.

(c) *Protection of animals and birds.* It shall be unlawful, without a duly issued permit, to (1) hunt, take, capture, kill, or wilfully disturb, at any time or in any manner, any wild animal or bird within the refuge; (2) utilize lands within the refuge for fur farming or stock grazing; (3) erect a building or permanent structure on Unimak Island; (4) own, possess, maintain, or harbor a dog on Unimak Island, or allow any dog owned, possessed, maintained, or harbored, to run loose within the refuge at a distance of more than one mile from the center of any village therein: *Provided, however* That land fur-bearing animals may be trapped on Unimak Island, in accordance with the Alaska Game Law, without other permit.

(d) *Exemption.* No permit will be required of native residents within the refuge to take or capture game animals, game birds, or land fur-bearing animals in the refuge in accordance with the Alaska Game Law, except that such natives other than a permittee may not take such animals or birds on islands held by any person under valid permit for fur farming; and nothing herein shall be deemed to prevent a permittee who is raising sheep within the refuge from using dogs for herding, or a person who is legally on the refuge from using dogs as pack animals or for pulling sleds; but no person shall own, possess, maintain, or harbor a dog for any purpose on Unimak Island except under permit as herein provided.

(e) *Applications for permits; fees.* Application for permits should be addressed to the Regional Director, Fish and Wildlife Service, Juneau, Alaska, and should contain the name (legibly written or printed) the post-office address, and the citizenship of the applicant, together with references as to his character, reliability, and resources; and if applicant is a corporation or company, the home address and the place and date of incorporation or organization, together with the names and addresses of its principal officers, and a sworn statement by a responsible officer of the percentage of alien ownership; and

If wild animals or birds are to be taken, the number of each species desired and whether for scientific, propagation, exhibition, or other purposes; or,

If it is desired to possess or maintain a dog or dogs, on Unimak Island, the number, sex, name, and distinguishing characters or marks, if any, of each and the use to be made of such animal or animals; or

If it is desired to construct a building, shed, or other structure on Unimak Island, information regarding the nature of the operations to be conducted; or,

If it is desired to use or occupy any island or part thereof within the refuge for fur farming or livestock grazing, the

name of the island, its location by approximate latitude and longitude, a description of its character, whether there are any native or aboriginal improvements on the island or part thereof applied for and, if so, to whom they belong and when last used; and the applicant should include also any information he has concerning the suitability of the island, or part thereof, for the purpose intended, stating his source of information and whether he has personally examined it, and should state the number of animals he proposes to place thereon and the date he expects or is prepared to begin operations; and,

Any other details or information necessary to give a clear understanding of the privileges the applicant desires to obtain.

For each permit to use an island in the refuge for fur-farming purposes, a fee of \$25 per annum is prescribed, and within the discretion of the regional director, fees commensurate with the value of the concession will be charged for stock grazing on any island in the refuge, or for trapping, use, or occupancy of areas on Unimak Island.

(f) *Remittance of fees.* Any fees accruing to the Department by virtue of uses under the regulations in this part or from outstanding permits under previous regulations affecting the refuge shall be remitted to the Regional Director, Juneau, Alaska, by postal money order or bank draft made payable to the Treasurer of the United States. Remittance hereunder in form other than by postal money order or bank draft may be accepted by the said regional director at his discretion and upon his own responsibility, except that remittance in cash must not be accepted unless no other form of remittance is practicable.

(g) *Transfer of permits.* No permit issued under the authority of the Department of the Interior or of the regulations in this part for any area, use, purpose, or privilege in or concerning the refuge, or any island, or part thereof, shall be sold, bartered, exchanged, or transferred by the permittee to another, and no agreement to do so shall be entered into by the permittee, without first furnishing the said Regional Director with the full details of any such proposed transaction and obtaining his consent thereto, and no such arrangement shall become effective until the old permit has been surrendered for cancellation and a new permit subject to such conditions as he shall prescribe has been issued.

Nothing in the regulations in this part and no permit issued hereunder shall be construed to forbid or interfere with official operations within the refuge or on any island covered by a permit hereunder by employees or agents of the Fish and Wildlife Service, the Department of the Interior, or any other department, bureau, or agency of the Federal Government, or of the Territory of Alaska, and no charge, rental, fee, or compensation for such governmental activities or claim for damages shall lie or be made, or allowed any permittee hereunder, for or on account of such governmental use or activity.

(h) *Cancellation of permits.* Any permit issued or reissued hereunder is sub-

ject at all times to discretionary revocation and termination by the Director of the Fish and Wildlife Service. The Regional Director may, by written notice to the permittee, mailed to the address as shown on his application, cancel any outstanding permit issued by or under authority of the Department of the Interior for any use or privilege concerning the refuge, (1) upon the request of or under mutual agreement with, the permittee; (2) for failure of the permittee to report as required by the permit, failure to stock an island under fur-farming permit with the number of foxes or other animals as required by or within the terms of the permit, or for violation of any other term or condition of the permit; (3) for abandonment of the area, purpose, use, or privilege covered by such permit; (4) for the molesting of native burial grounds or improvements, or for interfering with natives cultivating accustomed lands; (5) for violating any law or regulation applicable to the refuge including the Alaska Game Laws; or (6) for any other good and sufficient reason in the public interest. Immediately upon cancellation, all rights of the permittee shall cease, and upon appeal shall remain in suspension pending final determination upon the appeal.

Any person aggrieved at any administrative action taken on the above authority may file with the Regional Director a written request for reconsideration thereof, and may file an appeal to an adverse decision thereon with the Director, Fish and Wildlife Service, Washington, D. C., whose decision in the matter may be reviewed by the Secretary of the Interior. However, the decision on reconsideration by the Regional Director shall be final unless an appeal therefrom is taken within 60 days of the date of such decision. In cases where delay would be prejudicial and upon a proper showing of such fact a direct appeal from any such administrative action may be made to the Director, Fish and Wildlife Service, but in such event a copy of the appeal and accompanying documents must be concurrently furnished the Regional Director.

Unless the appeal contains an acceptable reason for allowing a longer time for the preparation of the case, the appellant shall file immediately a statement or brief setting forth in detail the particulars in which the action or decision from which appeal is taken is contrary to, or in conflict with, the law or the regulations of the Secretary of the Interior, or the Director, Fish and Wildlife Service. Upon receipt of a copy of such statement or brief from the complainant, the Regional Director shall prepare a statement or brief reviewing the case and presenting the findings of fact and conclusions upon which his action or decision was based. This statement or brief shall then be transmitted to the Director, Fish and Wildlife Service, Washington, D. C., who will thereupon review the case and advise both the appellant and the subordinate officer of the decision.

(i) *Removal of property.* Upon the termination of any permit affecting the refuge by expiration or by forfeiture or cancellation thereof, pursuant to paragraph (h) of this section, in the absence

of an agreement to the contrary, if all fees due the Federal Government have been paid, the permittee may, within 90 days, following such termination, remove all property, including foxes or fur-bearing animals, belonging to him, together with any buildings or improvements of any kind that may have been erected by him: *Provided*, That the Regional Director may, in his discretion, allow addi-

tional time necessary to complete any removal operation, but if not removed within 90 days or within the additional period specified by the Regional Director, such animals, buildings, and/or improvements shall become the property of the United States. (Sec. 10, 45 Stat. 1224, sec. 401, 49 Stat. 383, sec. 84, 35 Stat. 1104, as amended, 57 Stat. 301, 16 U. S. C. 715 (1) (s) 18 U. S. C. 145, 48 U. S. C. 192-311,

Reorg. Plan No. II of 1939, 4 F. R. 2731, Reorg. Plan No. III of 1940, 5 F. R. 2108, 3 CFR Cum. Supp.)

Dated: October 5, 1948.

WILLIAM E. WARNE,
Acting Secretary of the Interior

[F. R. Doc. 48-9018; Filed, Oct. 11, 1948;
8:48 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF THE TREASURY

Bureau of Customs

[19 CFR, Part 6]

[192.31]

SKY HARBOR SEAPLANE BASE, DULUTH, MINN., AND C. A. A. FIELD, JUNEAU, ALASKA

NOTICE OF PROPOSED REDESIGNATION AS AIRPORTS OF ENTRY WITHOUT TIME LIMIT

Notice is hereby given that, pursuant to authority contained in section 7 (b) of the Air Commerce Act of 1926, as amended (49 U. S. C., Sup., 177 (b)) it is proposed to redesignate effective November 1, 1948, the Sky Harbor Seaplane Base, Duluth, Minnesota, and the C. A. A. Field, Juneau, Alaska, as airports of entry for civil aircraft and for merchandise carried thereon arriving from places outside the United States, as defined in section 9 (b) of the said act (49 U. S. C. 179 (b)) without time limit; and it is further proposed to amend the list of airports of entry in § 6.12, Customs Regulations of 1943 (19 CFR, Cum. Supp., 6.12) to include the locations and names of these airports, and to amend the list of temporary airports of entry in § 6.13, Customs Regulations of 1943 (19 CFR, Cum. Supp., 6.13) as amended, by deleting the locations, names, and dates and periods of designations of the airports involved.

This notice is published pursuant to section 4 of the Administrative Procedure Act (5 U. S. C. 1003) Data, views, or arguments with respect to the proposed redesignations of the above-mentioned airports as airports of entry may be addressed to the Commissioner of Customs, Bureau of Customs, Washington 25, D. C., in writing. To assure consideration of such communications, they must be received in the Bureau of Customs not later than 20 days from the date of publication of this notice in the FEDERAL REGISTER.

[SEAL] JOHN S. GRAHAM,
Acting Secretary of the Treasury.

[F. R. Doc. 48-8962; Filed, Oct. 11, 1948;
8:50 a. m.]

DEPARTMENT OF THE INTERIOR

Office of Indian Affairs

[25 CFR, Part 130]

UINTAH INDIAN IRRIGATION PROJECT, UTAH

ORDER FILING OPERATION AND MAINTENANCE CHARGES

OCTOBER 6, 1948.

Pursuant to section 4 (a) of the Administrative Procedure Act approved June 11, 1946 (60 Stat. 237) the acts of Congress approved June 21, 1906 (34 Stat. 375) and March 7, 1928 (45 Stat. 210; 25 U. S. C. 387) and by virtue of authority delegated by the Secretary of the Interior to the Commissioner of Indian Affairs September 14, 1946 (11 F. R. 10297) notice is hereby given of intention to amend § 130.77 of Title 25, Code of Federal Regulations, effective for the irrigation season 1949, and thereafter until further notice, as follows: (1) by increasing the annual per acre rate from \$1.35 to \$1.75; (2) by eliminating the annual billing charge of \$3.00. As so amended § 130.77 will read as follows:

§ 130.77 *Basic water charges.* Pursuant to the provisions of the acts of June 21, 1906 (34 Stat. 375) and March 7, 1928 (45 Stat. 210, 25 U. S. C. 387) the reimbursable costs expended in the operation and maintenance of the Uintah Indian irrigation project, Utah, are apportioned on a per acre basis against the irrigable lands of all units of the project and for the calendar year 1949, and each succeeding year until further order, there shall be collected for each acre of irrigable land to which water can be delivered from the constructed works, a uniform basic charge of \$1.75 per acre per annum, where not otherwise established by contract. No bill shall be rendered for less than \$4.00.

Interested persons are hereby given opportunity to participate in preparing the proposed amendment by submitting their views and data or arguments in writing to the Commissioner of Indian Affairs, Department of Interior, Washington 25, D. C., within 30 days from the date of the publication of this notice of intention in the daily issue of the FEDERAL REGISTER

WILLIAM ZIMMERMAN, Jr.,
Acting Commissioner

[F. R. Doc. 48-9015; Filed, Oct. 11, 1948;
8:47 a. m.]

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[P. & S. Docket No. 402]

MARKET AGENCIES AT UNION STOCK YARDS, CHICAGO, ILL.

NOTICE OF PETITION FOR MODIFICATION OF TEMPORARY RATES

Pursuant to the provisions of the Packers and Stockyards Act, 1921, as amended (7 U. S. C. 181 et seq.), the Judicial Officer issued an order on October 1, 1947, authorizing the respondents to put into effect on November 1, 1947, the current temporary rates and charges.

On September 28, 1948, respondents filed a petition requesting that they be authorized to file new tariffs providing for increased rates. The rates petitioned for are set out below:

SELLING CHARGES

B-1 Calves

	Per head
Consignments of one head and one head only (A)-----	\$0.70
Consignments of more than one head:	
First 5 head in each consignment (A)-----	.55
Next 10 head in each consignment (A)-----	.45
Each head over 15 head in each consignment (A)-----	.35

B-2 Calves, by Rail Maximum Charge (A)

In no instance shall the charge for selling a consignment of calves arriving by rail exceed \$30.00 for each single deck car and \$45.00 for each double deck car, plus extra service charges provided in Section E.

B-3 Calves, by Other Than Rail, Maximum Charge (A)

In no instance shall the charge for selling a consignment of calves arriving other than by rail exceed \$30.00 for each 100 calves or less, plus extra service charges provided in Section E.

B-4 Cattle (A)

	Per head
Consignments of one head and one head only (A)-----	\$1.25
Consignments of more than one head:	
First 5 head in each consignment-----	1.00
Next 10 head in each consignment-----	.95
Over 15 head in each consignment-----	.90
T. B.'s and Bangs in each consignment-----	1.25

B-5 Cattle, by Rail, Maximum Charge (A)

In no instance shall the charge for selling a consignment of cattle arriving by rail

exceed \$35.00 for each car, plus extra service charges provided in Section E.

B-6 Cattle, by Other Than Rail, Maximum Charge (A)

In no instance shall the charge for selling a consignment of cattle arriving other than by rail exceed the aggregate of \$35.00 for the first 24,400 pounds, plus 12 cents for each additional 100 pounds or fraction thereof, plus extra service charges provided in Section E.

B-7 Cattle and Calves by Rail, Maximum Charge (A)

In no instance shall the charge for selling a carload of cattle and calves arriving by rail, belonging to one owner, delivered to one market agency to be offered for sale during the trading hours of one day, exceed \$35.00 for each car, plus extra service charges provided in Section E.

(A) Advance.

B-8 Cattle and Calves, by Other Than Rail, Maximum Charge (A)

In no instance shall the charge for selling a shipment of cattle and calves arriving other than by rail, belonging to one owner, delivered to one market agency to be offered for sale during the trading hours of one day exceed the aggregate of \$35.00 for the first 24,400 pounds or less, plus 12 cents for each additional 100 pounds or fraction thereof, plus extra service charges provided in Section E.

B-9 Bulls (A)

Consignments of:	Per head
1 head and 1 head only over 1,000 pounds (A)-----	\$1.75
1 head and 1 head only 700 pounds to 1,000 pounds (A)-----	1.50
Consignments of more than 1 head:	
700 pounds and over (A)-----	1.50
Under 700 pounds (A)-----	Cattle rate

B-10 Hogs

Consignments of 1 head and 1 head only (A)	Per head
Each head weighing 250 pounds or over (A)-----	\$0.65
Each head weighing under 250 pounds (A)-----	.50
Consignments of more than 1 head:	
First 10 head in each consignment (A)-----	.37
Next 15 head in each consignment (A)-----	.32
Each head over 25 head in each consignment (A)-----	.27

B-11 Hogs, by Rail, Maximum Charge

In no instance shall the charge for selling a consignment of hogs arriving by rail exceed \$25.00 for each single deck car and \$35.00 for each double deck car, plus extra service charges provided in Section E.

B-12 Hogs, by Other Than Rail, Maximum Charge

In no instance shall the charge for selling a consignment of hogs arriving other than by rail exceed the aggregate of \$25.00 for the first 18,000 pounds, plus 12 cents for each additional 100 pounds or fraction thereof, plus extra service charges in Section E.

B-13 Boars (A)

Consignments of:	Per head
1 head only-----	\$0.75
Consignments of more than one head:	
First 10 head-----	.65
Over 10 head-----	.50

B-14 Sheep or Goats

Consignments of 1 head and 1 head only (A)-----	.50
---	-----

B-14 Sheep or Goats—Continued

Consignments of more than 1 head:	Per head
First 10 head in each 250 head (A)---	\$0.30
The next 50 head in each 250 head (A)-----	.22
The next 60 head in each 250 head (A)-----	.12
The next 130 head in each 250 head (A)-----	.07

B-15 Sheep or Goats, by Rail, Maximum Charge (A)

In no instance shall the charge for selling a consignment of sheep or goats arriving by rail exceed \$20.00 for each single deck car, and \$27.00 for each double deck car, plus extra service charges provided in Section E.

(A) Advance.

B-16 Mixed Cars, by Rail, Maximum Charge

In no instance shall the charge for selling a carload of live stock containing two or more species other than a carload of cattle and calves, belonging to one owner, delivered to one market agency, to be offered for sale during the trading hours of one day exceed \$35.00 for each single deck car, and \$45.00 for each double deck car, plus extra service charges provided in Section E.

(A) Advance.

SECTION C

Buying Charges (A)

Item No.

- C-1 The rates for buying live stock shall be the same as the rates shown in Section B for selling the same live stock.

SECTION D

Buying Service Charges

- D-1 When feeder live stock bought by the purchaser himself is paid for, billed out, or any assistance rendered by a member of The Chicago Live Stock Exchange, or his employee or employees, the transaction shall be deemed a service rendered and a charge equivalent to 50% of the regular buying charge assessed.
- D-2 When slaughter live stock bought by purchaser himself is paid for, billed out, or any assistance rendered by a member of the Chicago Live Stock Exchange, or his employee or employees, the transaction shall be deemed a service rendered and the regular buying charge assessed.

SECTION E

Extra Service Charges

The following extra service charges are applicable to each consignment, bought or sold, and are in addition to the charges provided in Sections B, C, and F for selling or buying:

For each additional weight draft over 3 on account of sales or purchase classification (brought about by sorting and weighing for the best interests of the shipper) 25 cents.

For each additional check (except checks to truckers in payment for hauling charges), each additional account of sales, each proceeds deposit or bank credit over 1: 5 cents.

SECTION F

Resales (A)

On live stock purchased on this market by registered traders or registered market agencies, and without having been removed from this market, resold for account of such purchaser, the commission shall be the same as the rates shown in Section B for selling the same live stock.

SECTION G

International Live Stock Exposition and Chicago Feeder Cattle Show

In addition to the regular charges, the following service charges shall be made on all carlot entries of live stock exhibited in the International Live Stock Exposition or in the Chicago Feeder Cattle Show:

For each carlot, entered and exhibited of:	Per head
Fat cattle-----	\$25.00
Stocker and feeder cattle-----	10.00
Hogs-----	10.00
Sheep-----	10.00

In addition there will be collected and paid to auctioneers for auctioning live stock in either of said shows the following:

Each carlot entry-----	Per head \$3.00
Other than carlot entries:	
Cattle-----	Per head \$1.00
Sheep-----	.50
Hogs-----	.50

(A carlot entry is a lot of not less than 15 fat cattle, or 20 feeder cattle, or 25 hogs, or 50 sheep.)

SECTION H

Local Sales for Account of Other Agencies

On live stock arriving at this market for sale, members of this Exchange may sell the same for one-half of the foregoing rates of commission when sold for account of members suspended by The Chicago Live Stock Exchange who otherwise would be engaged in selling live stock for nonresidents on commission; or for the account of other members of this Exchange in good standing, who are similarly engaged, provided that the foregoing shall not apply to, nor prevent members of this Exchange in good standing from entering into agreements with each other for the purpose of clearing each other's business transactions, or for the purpose of regularly selling each other's live stock, provided that in all instances, full rates are charged to the owner of such livestock.

SECTION I

Reactors and Suspect Cattle

A charge of 15 cents per head will be made on all cattle tagged by the State of Illinois as Bang Reactors, or cattle tagged and sold subject to post mortem inspection.

SECTION J

Fire Insurance

To defray cost of fire insurance under Hartford Fire Insurance Company Policy No. 5628 the following charge will be made:

Single truck loads or odd lot consignments:

$\frac{1}{2}$ cent per head on cattle.
$\frac{1}{4}$ cent per head on calves.
$\frac{1}{2}$ cent per head on hogs.
$\frac{1}{6}$ cent per head on sheep.

Minimum charge of 1 cent and maximum charge of 7 cents per owner in any truck load.

Truck shipments of live stock as shown on the Stockyards Company records may disclose several truck loads of single ownership as one consignment. In such consignments of single ownership, 30 cattle, 75 calves, 75 hogs, or 300 sheep shall constitute a carload and shall take a maximum of 7 cents per carload.

Excess number of head above carloads in such consignments shall pay additional premium at the above odd lot-rate per head.

A consignment arriving by truck containing 2 or more of the above classes of live stock shall be subject to a maximum deduction of 7 cents for each total weight of 20,000 pounds.

Carload consignments..... 7 cents per car.

The rates petitioned for, if authorized, will provide additional revenue for the respondents so that it appears that public notice of the filing of the petition should be given in order that all inter-

ested persons may have an opportunity to be heard in the matter.

Now, therefore, notice is hereby given to the public and to all interested persons of the filing of the petition for increases in the temporary rates currently in effect.

All interested persons who desire to be heard in the matter shall notify the Hearing Clerk, United States Department of Agriculture, Washington 25,

D. C., within 15 days from the date of publication of this notice.

Done at Washington, D. C., this 8th day of October 1948.

[SEAL]

H. E. REED,
Director, Livestock Branch, Production and Marketing Administration.

[F. R. Doc. 48-9057; Filed, Oct. 11, 1948; 9:01 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Alaska Road Commission

ESTABLISHMENT AND ORGANIZATION

1. *Creation.* The Alaska Road Commission was established in the Department of the Interior in 1932 to administer the functions vested in the Secretary of the Interior by the act of June 30, 1932 (47 Stat. 446; 48 U. S. C., 1946 ed., secs. 321a-327), relating to the construction and maintenance of roads, trails and other works in Alaska.

2. *Purpose.* The Alaska Road Commission is responsible for the location, design, construction, repair, and maintenance of roads, bridges, ferries, trails and other works in the Territory of Alaska, except areas within national forest reserves.

3. *General description.* The Alaska Road Commission, headed by the Commissioner of Roads for Alaska, is composed of a headquarters staff located at Juneau, Alaska, and four district offices located at Anchorage, Fairbanks, Valdez, and Nome.

HEADQUARTERS ORGANIZATION

4. *Commissioner of Roads for Alaska.* All functions of the Alaska Road Commission are administered by the Commissioner of Roads for Alaska. The Commissioner is responsible for the formulation of policies and programs and for the over-all direction of the work. He is responsible directly to the Secretary of the Interior, reporting through the Director of the Division of Territories and Island Possessions.

5. *Chief Engineer.* The Commissioner of Roads for Alaska is assisted by the Chief Engineer, who is responsible under his general supervision for the conduct of operations and represents him in his absence.

The Commissioner of Roads for Alaska may exercise the authority conferred upon the Secretary of the Interior by the act of June 30, 1932, with respect to the functions to be performed by the Alaska Road Commission. The Commissioner of Roads for Alaska, the Chief Engineer and the Equipment Engineer of the Alaska Road Commission, and the Director of the Division of Territories and Island Possessions, are authorized, on behalf of the Department of the Interior, to make necessary certifications that equipment, materials, supplies, and buildings, surplus to the needs of the Departments of

the Army, Navy or Air Force, or any other agency of the United States Government having title thereto, are essential for the construction, improvement, and maintenance of the Alaska road system.

6. *Administrative Division.* The Administrative Division is responsible for the conduct of all phases of administrative management, including budget, finance, personnel, administrative reports, office services, and supply and property management. It exercises staff supervision over the conduct of such administrative work as is performed in the several district offices.

7. *Engineering Division.* The Engineering Division is responsible for the conduct of engineering investigations and the preparation of engineering reports, for the preparation and review of designs, plans, and specifications, and for the collection, evaluation, and utilization of engineering cost data. It exercises staff supervision over the conduct of district office surveys.

8. *Contracts Division.* The Contracts Division is responsible for supervision of all engineering construction by contract. In conjunction with the Engineering Division, it prepares the engineering features of such contracts, reviews contracts prepared by the Public Roads Administration, architectural and engineering firms or others, and prepares alterations, additions, supplemental agreements and change orders. It also handles contract inspection and priorities, expediting, etc.

9. *Construction Division.* The Construction Division is generally responsible for all engineering construction and maintenance by force account, utilizing the district organization of the Alaska Road Commission for actual operations. It exercises staff supervision over road and bridge construction, maintenance, and operation of road building equipment, and supply, as well as mess operations. It advises and makes recommendations to the Administrative Division on the types of road building equipment to be purchased. It is also responsible for staff supervision of all maintenance by force account of roads, bridges and other structures constructed or administered by the Alaska Road Commission.

FIELD ORGANIZATION

10. *Supervision.* The headquarters organization of the Alaska Road Commission, in addition to formulating policies

and programs, and establishing technical guides concerning the construction of roads in Alaska, has immediate supervision over the work of four district offices and one sub-district office.

11. *Districts.* District offices are maintained in Valdez, Anchorage, Fairbanks, and Nome, Alaska. A sub-district office is maintained in Haines, Alaska. These offices include the entire Territory of Alaska, except areas within national forest reserves. The District Superintendents are responsible to the Commissioner of Roads for Alaska for the development and execution of road and related administrative work in their respective districts in accordance with predetermined policies and programs and under the technical guidance of the headquarters staff. Their work includes supervision of survey parties, contract inspectors, force-account supervisors, repair shops, accounts, messes, and all other activities connected with the construction of roads in their respective districts.

OCTOBER 4, 1948.

WILLIAM E. WARNE,
Acting Secretary of the Interior

[F. R. Doc. 48-9017; Filed, Oct. 11, 1948; 8:47 a. m.]

DEPARTMENT OF COMMERCE

Office of Industry Cooperation

PROPOSED VOLUNTARY PLAN UNDER PUBLIC LAW 395, 80TH CONGRESS, FOR ALLOCATION OF STEEL PRODUCTS FOR CONSTRUCTION, RECONVERSION AND REPAIR OF MERCHANT VESSELS

NOTICE OF PUBLIC HEARING

In order to carry out the requirements of Executive Order 9919 (13 F. R. 59), and acting under the authority vested in me by said Executive order,

Notice is hereby given that a public hearing will be held on Thursday, the 21st day of October, 1948, at 10:00 a. m., e. s. t., in the Auditorium on the street floor of the Department of Commerce Building, 14th Street, between E Street and Constitution Avenue, in the City of Washington, D. C., for the purpose of affording to industry, labor and the public generally an opportunity to present their views with respect to the proposed voluntary plan; under Public Law 395, 80th Congress, for the allocation of steel products for construction, reconversion and repair of merchant vessels, of which

plan a draft is set forth in Appendix A hereto (subject to further revisions at and subsequent to the public hearing).

The proposed plan has been formulated after consulting with representatives of the various industries involved and of the United States Maritime Commission and the National Military Establishment.

Any person desiring to participate in said public hearing should file a written notice of appearance with the Director of the Office of Industry Cooperation, Room 5847, Department of Commerce Building, Washington 25, D. C., not later than 5 p. m., e. s. t., on Tuesday, the 19th day of October 1948. Persons desiring to present written statements or memoranda should submit them, in triplicate, at the hearing.

[SEAL]

CHARLES SAWYER,
Secretary of Commerce.
APPENDIX A

Proposed voluntary plan for allocation of steel products for construction, reconversion and repair of merchant vessels.

1. *What this plan does.* This plan is in furtherance of a proposed program of the United States Maritime Commission for the construction, reconversion, and repair of merchant vessels. It sets up the procedure under which steel producers (hereinafter called producers) agree voluntarily to make steel products available to builders, converters and repairers of merchant vessels who comply with the provisions of this plan (hereinafter called participating builders), for use in the construction, reconversion, or repair of certain merchant vessels. For the purpose of this plan, the term "Merchant Vessels" means commercial steel self-propelled passenger, dry cargo, and passenger-cargo ships (other than tankers) which are (a) of 1000 DWT or larger, (b) designed for, or employed in, ocean-going, coastal or Great Lakes use, (c) of U. S. registry, and (d) in the case of vessels to be constructed or substantially altered, specifically designated by the U. S. Maritime Commission as being within the scope of this plan. The plan does not include provision for construction or repair of yard, way, or dock facilities.

2. *Agreement by steel producers.* Beginning with the month of January 1948 and continuing during the period this plan remains in effect, producers will make available, out of their own production or that of their producing subsidiaries or affiliates, to participating builders a total of 10,190 net tons of steel products per month, distributed by types approximately as follows:¹

Type:	Net tons per month
Plates -----	8,372
Shapes -----	1,818
Total net tons per month -----	10,190

Producers will, from time to time, however, upon request of the Secretary of Commerce, give consideration to making additional quantities available.

3. *Determination of quantities to be furnished by respective producers.* Unless otherwise specified in its acceptance of this plan, the quantities to be made available by each producer, as its commitment under this plan, will be such as the Secretary of Commerce, after consulting the Steel Task Committee of the Office of Industry Cooperation of the Department of Commerce, determines

¹ This distribution by types, within the 10,190 ton total, may be changed before final approval of the plan, on the basis of further analysis of the types required.

to be fair and equitable. Producers will take credit against their commitments under this plan only for quantities delivered to participating builders on orders certified in accordance with paragraph 9 below.

4. *Contractual arrangements.* Such products will be made available under such contractual arrangements as may be made by the respective producers, or their producing subsidiaries and affiliates, with the respective participating builders. No request or authorization will be made by the Department of Commerce relating to the allocation of orders or customers, the delivery of steel products, the allocation of business among participating builders, or any limitation or restriction on the production or marketing of any steel products. This plan does not authorize nor approve any fixing of prices, and participation in this plan does not affect the prices or terms and conditions on which any steel products are actually sold and delivered.

5. *Limitations as to types, sizes and quantities.* A producer need make available under this plan only those products which are within the type and size limitations of the mill or mills which it may select for the fulfillment of its commitment under this plan. The quantities which it may have undertaken to make available in any month may be reduced, or at its option their delivery may be postponed, in direct proportion to any production losses during the month due to causes beyond its control.

6. *Reports from steel producers.* Each producer will, if requested by the Office of Industry Cooperation of the Department of Commerce (subject to approval of the Bureau of the Budget under the Federal Reports Act of 1942), submit to that office periodic reports of the total quantities, by types, of products shipped, and accepted for shipment, under the plan.

7. *Reports from participating builders.* Each participating builder will submit the following to the Secretary of Commerce:

(a) *Requirements report.* A report showing the quantities and types of (i) Merchant Vessels (as defined in paragraph 1 above) scheduled for construction, reconversion, or repair during each month under this plan, and (ii) steel products required therefor. The quantities and types of steel products to be made available monthly under the plan to individual participating builders will be determined by the Secretary of Commerce after consultation with the Merchant Vessel Industry Task Committee, subject to such revision, if any, from time to time, as may be deemed necessary by the Secretary of Commerce after consultation with that Committee.

(b) *Monthly steel consumption report.* A monthly report showing the total quantities and types of steel products (i) received by the participating builder from all sources during the preceding month for the construction, reconversion, or repair of Merchant Vessels and (ii) consumed by it during that preceding month for that purpose. Such a report should accompany the requirements report explained in paragraph 7 (a) above and, in addition, should subsequently be submitted within ten days after the end of each month during which the participating builder obtains steel products under this plan.

(c) *Other reports.* Such other relevant reports as may be requested from time to time by the Secretary of Commerce (subject to the approval of the Bureau of the Budget under the Federal Reports Act of 1942).

8. *Obligations of participating builders.* By participation in this plan, each participating builder shall be obligated as follows: To use all products obtained under this plan solely for and in the construction, reconversion, or repair of Merchant Vessels (as defined in paragraph 1 above); not to resell or transfer any products so obtained under this plan

in the form received by the participating builder, except to such subsidiary, affiliate, subcontractor or fabricator as may be designated for the manufacture or fabrication of any products needed for such construction, reconversion, or repair; and not to build up, beyond current needs, any inventories of products obtained, or end products manufactured, under this plan. If a participating builder becomes unable to use, for the purposes of this plan, any products obtained under the plan, he shall be further obligated to hold them subject to such other use or disposition (including re-allocation to other consumers or return to the producer from whom purchased) as shall be authorized by the Office of Industry Cooperation of the Department of Commerce.

9. *Procedure for placing orders under this plan.* Purchase orders under this plan are to be placed with participating producers, or their producing subsidiaries or affiliates. Each such purchase order shall bear the following certification by the participating builder:

DEPARTMENT OF COMMERCE VOLUNTARY PLAN,
UNDER PUBLIC LAW 395, 80TH CONGRESS FOR
ALLOCATION OF STEEL PRODUCTS FOR CON-
STRUCTION, RECONVERSION AND REPAIR OF
MERCHANT VESSELS

The undersigned certifies to the seller and to the Department of Commerce that the products specified in this order will be used solely for and in the construction, reconversion or repair of Merchant Vessels, and that this order is placed under, and in strict compliance with, the above Voluntary Plan, with which the undersigned is familiar and in which the undersigned is a participant.

By _____
(Title of duly authorized officer)

(Date)

10. *Procedure for, and effect of, becoming a participant.* After approval of this plan by the Attorney General and by the Secretary of Commerce, and after requests for compliance with it have been made of steel producers and of builders, converters, and repairers of Merchant Vessels by the Secretary of Commerce, any such producer, builder, converter, or repairer may become a participant in this plan by advising the Secretary of Commerce, in writing, of its acceptance of such request. Such requests for compliance will be effective for the purpose of granting certain immunity from the anti-trust laws and the Federal Trade Commission Act, as provided in section 2 (c) of Public Law 395, only with respect to such producers, builders, converters, and repairers as notify the Secretary of Commerce in writing that they will comply with such requests.

11. *Effective date and duration.* This plan shall become effective upon the date of its final approval by the Secretary of Commerce. It shall cease to be effective at the close of business on February 28, 1949, unless the time limitation of March 1, 1949, now specified in section 2 (b) of Public Law 395, 80th Congress, is extended or otherwise changed by legislative action in a form which permits continuation of this plan, in which event this plan shall thereupon automatically continue in effect through September 30, 1949 (or through the date specified in such legislative action if a date earlier than September 30, 1949 is so specified). However, the plan may be terminated on such earlier date as may be determined by the Secretary of Commerce, upon not less than 60 days notice by letter, telegram, or publication in the FEDERAL REGISTER.

12. *Withdrawal from plan.* Any producer or participating builder may withdraw from this plan by giving not less than 60 days written notice to the Secretary of Commerce.

13. *Clarifying interpretations.* Any interpretation issued by the Secretary of Commerce (after consultation with the Attorney General), in writing, to clarify the meaning of any terms of provisions in this plan shall be binding upon all participants notified of such interpretation.

[F. R. Doc. 48-9040; Filed, Oct. 11, 1948; 9:00 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-1058]

PANHANDLE EASTERN PIPE LINE CO.

ORDER FIXING DATE OF HEARING

OCTOBER 5, 1948.

Upon consideration of the application filed June 24, 1948, by Panhandle Eastern Pipe Line Company (Applicant) a Delaware corporation with its principal office at Kansas City, Missouri, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing the construction and operation of certain natural-gas facilities, subject to the jurisdiction of the Commission, as fully described in such application on file with the Commission and open to public inspection, public notice thereof having been given including publication in the *FEDERAL REGISTER* on July 14, 1948 (13 F. R. 3982).

It appears to the Commission that:

(a) Applicant herein requests a certificate authorizing the construction and operation of facilities for the direct sale of natural gas to the A. P. Green Fire Brick Company at Mexico, Missouri, pursuant to an agreement which provides, among other things, that Applicant shall, on a firm basis and without interruption for a period of 180 consecutive days each year, commencing on April 1, transport through and deliver at the terminus of such facilities the natural-gas requirements of A. P. Green Fire Brick Company. The A. P. Green Fire Brick Company has been heretofore served on a fully interruptible basis by the Missouri Power and Light Company with natural gas purchased from Applicant.

(b) Among the issues involved in the application and other pleadings herein are the following:

(i) Whether the operation of the subject facilities and the delivery of natural gas therefrom, both as herein proposed, will, if permitted, result in the granting by Applicant of an undue preference and advantage to A. P. Green Fire Brick Company and thereby subject Applicant's other customers to undue prejudice and disadvantage.

(ii) Whether the operation of the subject facilities and the delivery of natural gas therefrom, both as herein proposed, will, if permitted, enable Applicant to maintain an unreasonable difference in service as between localities and between customers.

(iii) Whether the operation of the subject facilities and the delivery of natural gas therefrom, both as herein proposed, will, if permitted, impair the ability of Applicant's system to render adequate service to and to meet the requirements of customers not subject to interruption.

(iv) Whether the operation of the subject facilities and the delivery of natural gas therefrom, both as herein proposed, would be otherwise unreasonable, unduly discriminatory, or unlawful.

(v) Whether, if the transportation and delivery of natural gas as herein proposed is unduly discriminatory, preferential, or otherwise unlawful, it would be appropriate in the public interest to authorize such transportation and delivery on the condition that interruptible service only should be rendered.

The Commission, therefore, orders that:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, as amended, and the Commission's rules of practice and procedure, a hearing to be held on October 26, 1948, at 9:45 a. m. (e. s. t.) in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by such application.

(B) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) of the said rules of practice and procedure.

Date of issuance: October 6, 1948.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-9013; Filed, Oct. 11, 1948; 8:47 a. m.]

[Docket No. G-1118]

INTERSTATE NATURAL GAS CO., INC.

ORDER POSTPONING DATE FOR HEARING

OCTOBER 5, 1948.

Upon consideration of the motion filed on September 24, 1948, by Interstate Natural Gas Company, Inc., in the above-entitled matter, for a continuance of the hearing heretofore set to commence on October 18, 1948:

It appearing to the Commission that:

(a) On September 7, 1948, the Commission adopted an order suspending rate schedules and fixing date of hearing to commence on October 18, 1948, in the above-entitled matter;

(b) On September 14, 1948, the Commission adopted an order supplementing the aforesaid order of September 7, 1948;

(c) Good cause exists for the postponement of hearing as hereinafter ordered;

The Commission orders that: The hearing heretofore ordered to be held in this matter commencing on October 18, 1948, be and the same is hereby postponed to November 8, 1948, at 10:00 a. m. (e. s. t.) in the Hearing Room, Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C.

Date of issuance: October 5, 1948.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-9014; Filed, Oct. 11, 1948; 8:47 a. m.]

INTERSTATE COMMERCE COMMISSION

[Ex Parte 168]

INCREASED FREIGHT RATES, 1948

At a general session of the Interstate Commerce Commission, held at its office in Washington, D. C., on the 4th day of October A. D. 1948.

Upon consideration of the petition in the above-entitled proceeding filed on October 1, 1948, by common carriers by railroad named therein, comprising all the Class I railroads in the United States, and many railroads of other classifications, requesting the Commission to institute an investigation into the level of railway freight rates and charges, and to authorize the petitioners to increase their freight rates and charges 8 percent, with certain exceptions, as set forth in detail in Appendix II to the petition, with permission to make such increased rates and charges effective at the earliest possible date, upon less than statutory notice, and for a general order modifying all outstanding orders of the Commission to the extent necessary to enable the petitioners to make the proposed increased rates and charges effective, and for entry of appropriate orders under sections 4 and 6 of the Interstate Commerce Act, and for other and further relief:

It is ordered, That an investigation is hereby instituted into and concerning the reasonableness and lawfulness of further increases in freight rates and charges of petitioning carriers and intervening petitioners and that the investigation and the petition be, and they are hereby, assigned for hearing at Washington, D. C., before Division Two, on November 30, 1948, at the Departmental Auditorium, at 10 a. m. United States standard time;

And it is further ordered, That the proceedings be governed by the special rules of practice hereto appended, in addition to the general rules of practice before the Commission.

By the Commission.

[SEAL] W. P. BARTEL,
Secretary.

APPENDIX—SPECIAL RULES OF PRACTICE APPLICABLE IN PROCEEDING IN DOCKET EX PARTE NO. 168.

Interventions. Petitions of intervention by carriers, other than the petitioners, seeking similar relief should comply with the General Rules of Practice, Rule 73 (40 C. F. R., Cum. Supp. 1.72). Persons appearing in opposition to the petition herein, or in opposition to similar petitions of carriers other than those filing the original petition, will be considered as protestants, and may be heard without the filing of petitions of intervention.

Simplification of presentations. In order to conserve time and avoid expense, it is strongly urged that persons finding themselves with common interests in the proceeding shall, to the greatest extent possible, endeavor to consolidate their presentation of testimony, and arrange for cross-examination by as few counsel as possible. The same course should be followed upon oral argument.

Evidence offered should be carefully prepared with a view to conciseness and clarity,

and so as to avoid extraneous, immaterial, and irrelevant matter, and undue cumulation of testimony or of witnesses upon any point. It should be factual in character, and argument should be reserved for the oral argument stage, and not be incorporated in the testimony.

Basic data, when of a voluminous character, should not be included if it is possible to make it available for inspection by other parties by temporarily lodging it with the Commission.

Exhibits. In the preparation of exhibits, Rules of Practice 81 to 84, inclusive (49 CFR, Cum. Supp. 1.81-1.84), should be followed. If possible, all documents submitted by a witness should be embraced in a single exhibit, with pages consecutively numbered, suitably bound together. In order to supply the State Commissioners, members of this Commission, and counsel in the proceeding, at least 150 copies of each exhibit should be prepared. So far as possible exhibits should be made self-explanatory in order to minimize the amount of time required for explanation by oral testimony.

Use of portions of record made in other proceedings. Parties desiring to present for the record a portion of the record in any other proceeding before the Commission should comply with Rule 82 (49 CFR, Cum. Supp., 1.82) of the general rules of practice. For convenient reference, a copy of the rule accompanies these special rules. Inasmuch as the Commission has recently received a great deal of evidence and exhibits in Ex Parte Docket No. 166, the suggestion is made that use be made of Rule 82 (49 CFR, Cum. Supp., 1.82) to avoid duplication of matter already put before the Commission, and to save time and expense. Supplemental statements and exhibits may be supplied for the record.

Prepared statements. Witnesses who expect in the course of their testimony to read from a written statement should comply with Rule 77 (49 CFR, Cum. Supp., 1.77) of the Rules of Practice. They should have sufficient copies thereof to supply opposing counsel, the presiding officers and the official reporter. Such written statements should be furnished counsel a reasonable time before the appearance of the witness on the stand. However, in the interest of conservation of time, it is suggested that such statements be prepared and offered in the manner indicated in the paragraph below, relating to verified statements, instead of being submitted orally by a witness on the stand.

Witnesses who will use prepared statements should remember that extensive tabular matter should be submitted separately, as an exhibit, and thus avoid the necessity for copying tabular matter into the transcript of oral testimony.

Hearings. The initial hearing shall be primarily for the purpose of receiving testimony on behalf of (a) the petitioners, (b) interveners, and (c) protestants who are prepared and desire to be heard. Such additional hearings will be provided as the progress of the proceeding indicates to be necessary or desirable.

Submission of evidence in chief in written form. The evidence in chief to be produced on behalf of the petitioners and any intervening petitioners who may come into the proceeding, shall be submitted in written form, as prepared statements by the respective witnesses, with their accompanying exhibits. Such documents should be made available to the Commission by filing 25 copies on or before November 9, 1948, and a copy should be transmitted by petitioners and intervening petitioners to the regulatory authority of each State having jurisdiction with respect to the intrastate rates and charges of petitioners and intervening peti-

tioners, and also to each person who shall give timely notice to the Commission and counsel for petitioners of their intention to appear as protestants. Such notification to petitioners should be made on or before November 3, 1948, in writing, addressed to Jacob Aronson, 466 Lexington Avenue, New York 17, New York.

Verified statements (affidavits). Evidence in the form of verified statements (affidavits) without personal appearance of the affiant as a witness will also be received in the absence of objection, as hereinafter specified. Parties desiring to offer such statements should make available as early as possible during the hearing 150 copies for the Commission and other parties, including the petitioners. Notice of any objection to the receipt of any such statement in evidence should be given to the Commission and to the party submitting the statement promptly following the receipt of such statement. If no such notice is given promptly it will be considered that objection to the receipt of the statement in evidence is waived, but objection to the weight to be accorded the statement of facts is reserved. Such statements should conform to the rules of practice in respect of style, mimeographing or printing, etc. They should be limited strictly to statements of fact and contain no argument, and if not so limited may be excluded. The Commission on its own motion or on objection may exclude a verified statement or any portion thereof which (a) is not material or relevant to the questions presented in this proceeding, (b) is obviously incompetent, or (c) is argumentative in character. In the absence of objection to introduction of the verified statement it will be unnecessary for the affiant to appear personally at the hearing. All verified statements received in evidence will be part of the record in the proceeding, upon which the Commission will base its decision.

Notice of intention to produce testimony. Persons who desire to be heard will facilitate necessary arrangements by sending notice of their intention by letter or telegram to the Commission at Washington, so as to reach the Commission before November 24, 1948, which shall state the number of witnesses, and the approximate amount of time considered necessary for presentation of direct testimony.

Correspondence. Correspondence relative to this matter should be addressed to the Commission at Washington 25, D. C., with a reference to the docket number, ex Parte No. 166.

GENERAL RULES OF PRACTICE

§ 1.82 Evidence; records in other Commission proceedings. If any portion of the record before the Commission in any proceeding other than the one on hearing is offered in evidence, a true copy of such portion shall be presented for the record in the form of an exhibit unless:

(a) The party offering the same agrees to supply such copy later at his own expense, if and when required by the Commission; and

(b) The portion is specified with particularity in such manner as to be readily identified; and

(c) The parties represented at the hearing stipulate upon the record that such portion may be incorporated by reference, and that any other portion offered by any other party may be incorporated by like reference subject to paragraph (a) and (b) of this section; and

(d) The officer directs such incorporation. Any such portion so offered, whether in the form of an exhibit or by reference, shall be subject to objection.

[F. R. Doc. 48-9019; Filed, Oct. 11, 1948; 8:48 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 1-2363]

BRAGER-EISENBERG, INC.

ORDER SETTING HEARING ON APPLICATION TO WITHDRAW FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 6th day of October A. D. 1948.

Brager-Eisenberg, Inc., pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to the Commission to withdraw its Capital Stock, \$1.00 Par Value, from listing and registration on the Baltimore Stock Exchange;

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, That the matter be set down for hearing at 11:00 a. m. on Monday, November 8, 1948, at Room 703, United States Appraisers Stores Building, 103 South Gay Street, Baltimore, Maryland, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That James G. Ewell, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL]

ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 48-9007; Filed, Oct. 11, 1948; 8:45 a. m.]

[File No. 55-94]

INTERNATIONAL HYDRO-ELECTRIC SYSTEM NOTICE OF FILING OF APPLICATION FOR APPROVAL OF MAXIMUM INTERIM COMPENSATION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 6th day of October A. D. 1948.

Notice is hereby given that Oliver R. Walte of Brickley, Sears and Cole, 1 Federal Street, Boston, Massachusetts, has filed with this Commission an application and an amendment thereto pursuant to Rule U-63 promulgated under section 11 (f) of the Public Utility Holding Company Act of 1935 ("the act"), for approval of \$10,000 as the maximum amount for which application may be made to the District Court of the United States for the District of Massachusetts for an interim allowance for his services rendered as counsel to Bartholomew A.

Brickley, Trustee of International Hydro-Electric System, a registered holding company, for the period from May 19, 1947 to July 31, 1948 inclusive.

All interested persons are referred to said application, on file in the offices of the Commission, for a statement of the services rendered, which are summarized as follows:

On August 12, 1943 this Commission filed an application in the aforesaid Court, Civil Action No. 2430, to enforce compliance with an order of the Commission entered on July 21, 1942 under section 11 (b) of the Act that International Hydro-Electric System liquidate and dissolve. On November 13, 1944 the Court appointed Bartholomew A. Brickley as Trustee of said System; and on July 29, 1947 the Court authorized the said Trustee to employ the Applicant as counsel to assist him in connection with the preparation, filing, approval and consummation of a plan for the liquidation and dissolution of said System. Applicant states that he has been continuously so employed since May 19, 1947; that up to July 31, 1948 he devoted 859 hours to the work, plus a considerable period of time in office conferences with said Trustee, estimated at an additional 100 hours. Applicant's detailed statement of recorded time indicates work in drafting plan and amendment thereof, numerous conferences with respect thereto, examination of law, preparation for and attendance upon hearings on the plan, and the preparation of numerous court papers, letters and other documents. The application states that the amount requested is the maximum amount to be paid to applicant for all legal services performed by him in the period covered by it.

Notice is further given that any interested person may, not later than October 20, 1948 at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law raised by said application which he proposes to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington, D. C. At any time after October 20, 1948 said application, as amended, may be granted without public hearing, unless good reason therefor shall in the meantime be made to appear; or the Commission may exempt such transaction as provided in Rules U-20 and U-100 thereof.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 48-9011; Filed, Oct. 11, 1948;
8:46 a. m.]

[File No. 70-1943]

NEW YORK STATE ELECTRIC & GAS CORP.
AND GENERAL PUBLIC UTILITIES CORP.

ORDER GRANTING APPLICATION AND PERMIT-
TING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities
and Exchange Commission, held at its

office in the city of Washington, D. C.,
on the 1st day of October 1948.

General Public Utilities Corporation ("GPU") a registered holding company, and its subsidiary, New York State Electric & Gas Corporation ("New York State") having filed a joint application-declaration, and an amendment thereto, pursuant to sections 9 (a) 10, and 12 (f) of the Public Utility Holding Company Act of 1935 ("act") and Rule U-43 promulgated thereunder, with respect to the following transaction:

GPU proposes to purchase from New York State 2,725 shares of the non-cumulative no par value (voting) preferred stock of Staten Island Edison Corporation, a subsidiary of New York State, for a net cash price of \$272,500; and

Applicants - declarants having requested that the Commission find, in accordance with the meaning and requirements of the Internal Revenue Code, as amended, including sections 373 (a) and 1808 (f) thereof, that the sale, transfer, and delivery by New York State to GPU of the 2,725 shares of the preferred stock of Staten Island Edison Corporation are necessary or appropriate to the simplification of the GPU holding company system and are necessary or appropriate to effectuate the provisions of section 11 (b) of the act; and

Such joint application-declaration, as amended, having been duly filed, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for hearing with respect to said joint application-declaration, as amended, within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that the requirements of the applicable provisions of the act are satisfied, and deeming it appropriate in the public interest and in the interest of investors and consumers that said joint application-declaration, as amended, be granted and permitted to become effective, and deeming it appropriate to grant a request of applicants-declarants that the order become effective at the earliest date possible, and deeming it appropriate to grant the request of applicants-declarants with respect to the suggested recitals in accordance with the provisions of the Internal Revenue Code, as amended:

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of the act, and subject to the terms and conditions prescribed in Rule U-24, that the joint application-declaration, as amended, be, and the same hereby is, granted and permitted to become effective and the proposed transactions may be consummated forthwith.

It is further ordered, That the sale, transfer and delivery by New York State to GPU of 2,725 shares of the no par value (voting) preferred stock of Staten Island Edison Corporation are necessary or appropriate to the simplification of the GPU System, of which GPU, New York State and Staten Island Edison Corporation are a part, and are necessary or appropriate to effectuate the

provisions of section 11 (b) of the Public Utility Holding Company Act of 1935.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant Secretary.

[F. R. Doc. 48-9009; Filed, Oct. 11, 1948;
8:46 a. m.]

[File No. 70-1952]

PUBLIC SERVICE COMPANY OF INDIANA, INC.
ORDER GRANTING APPLICATION AND PERMIT-
TING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 5th day of October A. D. 1948.

Public Service Company of Indiana, Inc. ("Public Service"), a public utility subsidiary of The Middle West Corporation, a registered holding company, having filed a declaration pursuant to section 12 (c) of the Public Utility Holding Company Act of 1935 and Rule U-42 promulgated thereunder with respect to the following transactions:

Public Service proposes to call for redemption \$2,000,000 principal amount of its Convertible Debentures. The call will be made by lot pursuant to the terms of the indenture which provides for the redemption thirty days after the initial notice of call, which the company expects to publish on October 5, 1948, at a price of 103% of principal amount of all such Convertible Debentures which have not been converted into Common Stock of the company up to the date designated for redemption.

Public Service further proposes to pay to each holder of its Convertible Debentures (both those included in the call and those not so included) who surrender their certificates for conversion into Common Stock of the company during the portion of the call period expiring prior to the close of business on October 31, 1948, an amount equal to the full amount of interest that would be payable for the six-month period ending October 31, 1948.

The declaration having been filed on September 20, 1948, and the last amendment thereto having been filed on October 4, 1948, notice of such filing having been given in the form and manner prescribed by Rule U-23 promulgated pursuant to the act, and the Commission not having received a request for hearing with respect to said declaration within the period specified in said notice or otherwise, and not having ordered a hearing thereon; and

The Commission finding with respect to said declaration that the requirements of the applicable provisions of the act and rules thereunder are satisfied, and deeming it appropriate in the public interest and in the interest of the investors and consumers to permit the said declaration to become effective and to grant declarant's request that the order herein become effective forthwith upon the issuance thereof:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act and subject to the terms and conditions of Rule U-24, that the declaration be,

and the same hereby is, permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 48-9008; Filed, Oct. 11, 1948;
8:46 a. m.]

[File No. 70-1957]

MIDDLE WEST CORP. AND CONSOLIDATED
ELECTRIC AND GAS CO.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C. on the 1st day of October A. D. 1948.

Notice is hereby given that a joint declaration has been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935 (the "act") by The Middle West Corporation ("Middle West") a registered holding company, and by Consolidated Electric and Gas Company ("Consolidated") a registered holding company and a non-affiliate of Middle West.

Notice is further given that any interested person may, not later than October 14, 1948 at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues, if any, of fact or law proposed to be controverted; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after October 14, 1948 said application may be granted as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof.

All interested persons are referred to said joint declaration, which is on file in the offices of this Commission, for a statement of the transactions therein proposed, which are summarized as follows:

Consolidated and Middle West own 120,000 shares (60%) and 34,000 shares (17%), respectively, of the 200,000 shares of \$9. par value outstanding common stock of Upper Peninsula Power Company ("Upper Peninsula"). Such shares were acquired at the time of the organization of Upper Peninsula and such acquisitions were made pursuant to the order of this Commission (Holding Company Act Release No. 7407) dated May 14, 1947. At the same time Copper Range Company, primarily a mining company which the Commission has heretofore determined to be exempted from all the provisions of the act which would require it to register thereunder, and certain individuals acquired 34,800 shares and 11,200 shares of said stock, respectively.

Consolidated and Middle West propose, in accordance with Rule U-50 promulgated under the act, publicly to in-

vite, by newspaper publications, sealed written bids for the purchase of said stock of Upper Peninsula owned by them. Such invitations will also cover the stock owned by Copper Range Company and so many of the remaining 11,200 shares as the several individual owners thereof may elect to offer for sale.

The shares of common stock owned by Consolidated are pledged under a loan agreement dated as of August 25, 1948 between Consolidated and Central Hanover Bank and Trust Company and Continental Illinois National Bank and Trust Company of Chicago. In accordance with the provisions of such agreement, Consolidated will apply the proceeds of sale to the partial payment of \$5,000,000 aggregate principal amount of notes dated September 20, 1948 and maturing September 20, 1949, issued under and secured by such agreement.

The filing designates section 12 (d) of the act, and Rules U-44 and U-50 thereunder as being applicable to the transactions embraced in the instant joint declaration.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 48-9010; Filed, Oct. 11, 1948;
8:46 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 59 U. S. C. and Supp. App. 1, 610, E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9507, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11891.

[Vesting Order 12033]

MISS ROSA GERBETH AND MRS. ROSA
GERBETH

In re: Debts owing to Miss Rosa Gerbeth and Mrs. Rosa Gerbeth. F-28-25734-D-1, F-28-25735-D-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Miss Rosa Gerbeth and Mrs. Rosa Gerbeth, whose last known address is Wurzbach Thueringen, Germany, are residents of Germany and nationals of a designated enemy country (Germany)

2. That the property described as follows: That certain debt or other obligation owing to Miss Rosa Gerbeth by Homestake Mining Company, 300 Montgomery St., Room 950, San Francisco, California, a corporation organized under the laws of the State of California, in the amount of \$135.00, as of December 31, 1945, representing unpaid dividends on capital stock of said Homestake Mining Company, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Miss Rosa Ger-

beth, the aforesaid national of a designated enemy country (Germany)

3. That the property described as follows: That certain debt or other obligation owing to Mrs. Rosa Gerbeth, by Homestake Mining Company, 300 Montgomery St., Room 950, San Francisco, California, a corporation organized under the laws of the State of California, in the amount of \$135.00, as of December 31, 1945, representing unpaid dividends on capital stock of said Homestake Mining Company, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Mrs. Rosa Gerbeth, the aforesaid national of a designated enemy country (Germany)

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on September 14, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-9023; Filed, Oct. 11, 1948;
8:50 a. m.]

[Vesting Order 12055]

JOHN POPA

In re: Estate of John Popa, also known as Ioan Popa, deceased. File D-57-360; E. T. sec. 10384.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Neta Bichis nee Popa, whose last known address was, on August 21, 1946, Rumania, was on such date a resident of Rumania and a national of a designated enemy country (Rumania)

2. That the sum of \$2,572.83 was paid to the Alien Property Custodian by George Comsa, Executor of the Estate of John Popa, also known as Ioan Popa, deceased;

3. That the said sum of \$2,572.89 was accepted by the Alien Property Custodian on August 21, 1946, pursuant to the Trading With the Enemy Act, as amended;

4. That the said sum of \$2,572.89 is presently in the possession of the Attorney General of the United States and was property in the process of administration by the aforesaid George Comsa, Executor, acting under the judicial supervision of the Probate Court of Stark County, Ohio, which was payable or deliverable to, or claimed by, the aforesaid national of a designated enemy country (Rumania)

and it is hereby determined:

5. That to the extent that the person named in subparagraph 1 hereof was not within a designated enemy country on August 21, 1946, the national interest of the United States required that such person be treated as a national of a designated enemy country (Rumania) on such date.

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

This vesting order is issued nunc pro tunc to confirm the vesting of the said property by acceptance as aforesaid.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on September 16, 1948.

For the Attorney General.

[SEAL] MALCOLM S. MASON,
Acting Deputy Director,
Office of Alien Property.

[F. R. Doc. 48-9025; Filed, Oct. 11, 1948;
8:50 a. m.]

[Vesting Order 12065]

CALVIN TETSUO ISHII

In re: Bank account owned by and debt owed to Calvin Tetsuo Ishii, also known as Calvin T. Ishii.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Calvin Tetsuo Ishii, also known as Calvin T. Ishii, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan),

2. That the property described as follows: a. That certain debt or other obligation owing to Calvin Tetsuo Ishii, also known as Calvin T. Ishii, by Bank of America National Trust and Savings Association, Santa Maria, California, arising out of a savings account, account

number 1761, entitled Calvin T. Ishii, and any and all rights to demand, enforce and collect the same, and

b. That certain debt or other obligation owing to Calvin Tetsuo Ishii also known as Calvin T. Ishii, by Investors Syndicate, Minneapolis, Minnesota, represented by a paid up account on the books of the aforesaid company, said account evidenced by a certificate issued by Investors Syndicate, Minneapolis, Minnesota, of \$1500.00 face value, bearing the number C-7628, registered in the name of Chuhei C. Ishii for Calvin T. Ishii, and presently in the custody of the Attorney General of the United States, together with any and all accruals to the aforesaid debt or other obligation, and any and all rights to demand, enforce and collect the same, and any and all rights in and under the aforesaid certificate,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Calvin T. Ishii, the aforesaid national of a designated enemy country (Japan),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on September 22, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-9026; Filed, Oct. 11, 1948;
8:50 a. m.]

[Vesting Order 12086]

J. MAGNUS & Co.

In re: Stock, bonds and bank account owned by J. Magnus & Co. F-28-22174-A-1, F-28-22174-E-2.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That J. Magnus & Co., the last known address of which is Paulstrasse 5,

Hamburg, Germany, is a partnership, organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Germany and is a national of a designated enemy country (Germany),

2. That the property described as follows: a. One hundred (100) shares of no par value capital stock of the American Ship and Commerce Corporation, evidenced by a certificate numbered NY-22705 registered in the name of W. G. Sickel, and presently in the custody of the Bank of Manhattan Company, 40 Wall Street, New York, New York, together with all declared and unpaid dividends thereon,

b. Two hundred fifty (250) shares of \$1.00 par value capital stock of Glengarry Mining Company, evidenced by a certificate registered in the name of W. H. Hets, and presently in the custody of the Bank of the Manhattan Company, 40 Wall Street, New York, New York, together with all declared and unpaid dividends thereon,

c. Four (4) Republic of Chile External 20 Year Loan Sinking Fund Gold 7s Bonds, of \$1000 face value each, bearing the numbers M-4565/7, and 5485 and presently in the custody of the Bank of the Manhattan Company, 40 Wall Street, New York, New York, together with any and all rights thereunder and thereto,

d. Six (6) Conversion Office Foreign Debts Dollar 3s Bonds, of \$100 face value each, bearing the numbers C-085717/0, and 085721/3, and presently in the custody of the Bank of the Manhattan Company, 40 Wall Street, New York, New York, together with any and all rights thereunder and thereto,

e. Eight (8) Conversion Office for German Foreign Debts Fractional Certificates for Dollar 3s Bonds said certificates of the face value, and bearing the numbers set forth below:

\$ 2.50	-----	C-006471
\$ 5.00	-----	012317
\$10.00	-----	028761
\$20.00	-----	64118/20
\$20.00	-----	64127/0

and presently in the custody of the Bank of the Manhattan Company, 40 Wall Street, New York, New York, together with any and all rights thereunder and thereto, and

f. That certain debt or other obligation owing to J. Magnus & Co., by the Bank of the Manhattan Company, 40 Wall Street, New York, New York, arising out of a checking account, entitled J. Magnus & Co., maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by J. Magnus & Co., the aforesaid national of a designated enemy country (Germany), and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a

national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on September 24, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-9027; Filed, Oct. 11, 1948;
8:50 a. m.]

[Vesting Order 12145]

ANNA GROLL ET AL.

In re: Interests in real property, a property insurance policy and claims owned by Anna Groll, and others.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Anna Groll, August Groll, Elisabeth Groll, Bernhard Groll, Hermann Groll, Sophia Groll, Joseph Westhues, Joseph Westhues (Jr.) August Westhues, Heinrich Westhues, Gertrud Westhues, August Groll, known as Erdmann, Theodore Groll, known as Erdmann and Bernhard Groll, known as Erdmann, whose last known addresses are Alverskirchen, Germany and Mary Gockel, whose last known address is Trier, Germany, are residents of Germany and nationals of a designated enemy country (Germany)

2. That the property described as follows: a. An undivided one-half interest in real property, situated in the County of McIntosh, State of Oklahoma, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

b. All right, title and interest of the persons named in subparagraph 1 hereof, in and to Fire and Extended Insurance Policy No. 253098, issued by North British and Mercantile Insurance Company, Ltd., 150 Williams Street, New York City, New York, in the amount of \$1,100.00, which policy expires May 1, 1950 and insures the real property described in subparagraph 2-a hereof,

c. That certain debt or other obligation owing to the persons named in subparagraph 1 hereof, by Henry Groll, 4114 Arsenal Street, St. Louis, Missouri, arising by reason of rents collected from the real property described in subparagraph 2-a hereof, and any and all rights to demand, enforce and collect the same, and

d. That certain debt or other obligation owing to the persons named in subparagraph 1 hereof, by Detjen & Detjen, Suite 410-412, 511 Locust Street, St. Louis, Missouri, arising by reason of rents collected from the real property described in subparagraph 2-a hereof, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany),

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described in subparagraph 2-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and

There is hereby vested in the Attorney General of the United States the property described in subparagraphs 2-b to 2-d hereof, inclusive,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on October 5, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

EXHIBIT A

All of the Southwest Quarter of the Southwest Quarter of Section 23, and the Southeast Quarter, and the East Half of the Southwest Quarter of Section 30, and the Northeast Quarter of the Northeast Quarter of Section 31, and the Northwest Quarter of the Northwest Quarter of Section 32, all in Township 10 North, Range 16 East, containing 360 acres more or less, situate in the County of McIntosh, and State of Oklahoma.

[F. R. Doc. 48-9028; Filed, Oct. 11, 1948;
8:51 a. m.]

K. FUJITA ET AL.

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading with the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof the following property, located in the Treasury of the United States, Washington, D. C., subject to any increase or decrease resulting from the administration of such property prior to return and after adequate provision for taxes and conservatory expenses:

Claimant, Claim Number, and Property

K. Fujita, 1284 Kanewai Street, Honolulu, T. H., 37248; \$8.94.

Mrs. Yoshiko Fujita, (nee Yoshiko Kawato), 435 Coral Street, Honolulu, T. H., 37249; \$109.23.

H. Hasegawa, sole owner of Salkaiya Hotel, 1442 Palolo Avenue, Honolulu, T. H., 37251; \$30.04.

Hiroshi Igarashi, 347 N. Kuakini Street, Honolulu, T. H., 37253; \$52.87.

H. Y. Inase, P. O. Box 1203, Honolulu, T. H., 37254; \$215.19.

H. Y. Inase, guardian of Kazuo Inase, P. O. Box 1203, Honolulu, T. H., 37255; \$0.54.

G. Ishihara and Yoshimasa Ishihara, 183 North Hotel Street, Honolulu 43, T. H., 37256; \$640.64.

Yoshimasa Ishihara, 183 North Hotel Street, Honolulu 48, T. H., 37257; \$13.62.

Island Fender Shop, Harry Y. Takemoto and George K. Takemoto, 426 Ward Street, Honolulu, T. H., 37258; \$176.61.

Gentaro Kaneshiro, 2412 Liliha Street, Honolulu 3, T. H., 37259; \$45.22.

Sukeichi Kirimitsu or Yukimi Kirimitsu, 929-E Austin Lane, Honolulu, T. H., 37261; \$283.37.

Chikayo Kobayashi, 1525-A Kauluwela Lane, Honolulu, T. H., 37262; \$101.50.

Masaichi Kobayashi, a/k/a M. Kobayashi, 1525-A Kauluwela Lane, Honolulu, T. H., 37263; \$540.84.

Fujie Komesu, a/k/a Mrs. Harriet K. Hasslett, District Public Works, N. O. B., Kodiak, Alaska, 37265; \$33.13.

Yasu Matsuura or Noboru Matsuura, c/o Mr. S. A. Baldwin, Makawao, Maui, T. H., 37267; \$45.14.

S. Miranda, 10-B N. School Street, Honolulu, T. H., 37268; \$2.

Michiko Mitsui, 1894 Kam IV Road, Honolulu, T. H., 37269; \$38.93.

Michiko Mitsui, trustee for Fumiko Mitsui, 1894 Kam IV Road, Honolulu, T. H., 37270; \$62.42.

Michiko Mitsui, guardian of Kazuo Mitsui, 1894 Kam IV Road, Honolulu, T. H., 37271; \$112.03.

Tatsuo Mitsumori, 3441 James Street, Honolulu, T. H., 37272; \$7.46.

Tomii Miyasaki, 1751 10th Avenue, Honolulu, T. H., 37273; \$12.49.

Kanichi Morita, 1918 Lime Street, Honolulu, T. H., 37276; \$17.28.

Tsuya Muramoto, 4753-G Farmers Road, Honolulu, T. H., 37277; \$11.90.

Selichi Nakamura, 2043 Ohai Lane, Honolulu, T. H., 37278; \$109.50.

Fusa Nishihara, 85 Vineyard Street, Honolulu, T. H., 37279; \$5.

Mikayo Nishihara, 563 N. Vineyard Street, Honolulu, T. H., 37280; \$133.43.

Elzo Okada or Soyo Okada, 1703 Olona Lane, Honolulu 44, T. H., 37281; \$97.53.

Elzo Okada, 1703 Olona Lane, Honolulu 44, T. H., 37282; \$194.70.

Fumiko Okamoto, 1115-B Pua Lane, Honolulu, T. H., 37283; \$13.96.

Toraki Okamoto, guardian of Mitsuki Okamoto, 1114-B Pua Lane, Honolulu, T. H., 37281; \$17.37.

Takemo Okuda, 1092 S. Beretania Street, Honolulu, T. H., 37285; \$812.42.

Minoru Osaki or Mrs. Hatsune Osaki, P. O. Box 20, Kapaa, Kauai, T. H., 37286; \$3,687.65.

Doris Tsuruye Oshima, agent for Wakano Oshima, sole owner of Shinkiraku Restaurant, 1450 Alencastre Street, Honolulu 36, T. H., 37287; \$267.33.

Hyokichi Shimamura, guardian of Hiroshi Shimamura, 1104 Palama Street, Honolulu 7, T. H., 37289; \$154.40.

Kumato Sonoda and Masao Sonoda, 983-A Niepers Lane, Honolulu, T. H., 37290; \$21.57.

Natsu Suwa, 336 North Kukui Street, Honolulu, T. H., 37291; \$66.15.

Chutaro Suzuki, House 520, Camp 2, Spreckelsville, Maui, Territory of Hawaii, 37292; \$130.30.

Tenzen Taba, 307-B North School Street, Honolulu, T. H., 37293; \$80.12.

Yokichi Takahashi, Kaliua, Oahu, T. H., 37294; \$96.74.

Harry Y. Takemoto, 3215 Hoolulu Street, Honolulu, T. H., 37295; \$144.63.

Kiyoshi Takemoto, 3215 Hoolulu Street, Honolulu, T. H., 37296; \$137.09.

Kinmatsu Nakata, 2304 South King Street, Honolulu, T. H., 37297; \$337.88.

Miyoki Tominaga, 1636 Kalia Street, Honolulu 10, T. H., 37298; \$476.65.

Kikuji Ujilye, 1708 Olona Lane, Honolulu, T. H., 37301; \$8.88.

Genzaemon Tsuchida or Shizut Tsuchida, P. O. Box 6, Wailua, Oahu, T. H., 16172; \$4,252.75.

Hitoshi Ushijima, 1818 South King Street, Honolulu, T. H., 37303; \$10.38.

Takeo Yamamoto, trustee for Fumio Yamamoto, 254-B Auwailimu Street, Honolulu, T. H., 37305; \$30.80.

Shusei Yamashiro, 1518 Miller Street, Honolulu, T. H., 37306; \$2,849.55.

Miyuki Higashimura, 2558 Namauu Street, Honolulu, T. H., 32333; \$15.63.

Yuriko Higashimura, 2558 Namauu Street, Honolulu, T. H., 32334; \$13.39.

Kuma Inoue, guardian of Rikuo Inoue, 1418 University Lane, Honolulu 33, T. H., 29451; \$315.80.

Sibyl Davis, Adm. Est. of Kumataro Mitunaga, deceased, Chief Clerk, Circuit Court, First Judicial District, Honolulu, T. H., 7297; \$503.30.

S. Sukanuma, trustee for the Est. of Nao Sukanuma, deceased, 1355 10th Avenue, Honolulu, T. H., 9101; \$128.58.

Tatsue S. Hedani, Adm. Est. of Togo Sugimura, deceased, Kahaka, Pala, Maui, T. H., 30359; \$494.31.

Sibyl Davis, Adm. Est. of Aki Kashiwihara, deceased, Chief Clerk, First Circuit Court, Honolulu, T. H., 7043; \$1,014.69.

Executed at Washington, D. C., on October 6, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,

Director, Office of Alien Property.

[F. R. Doc. 48-9029; Filed, Oct. 11, 1948; 8:51 a. m.]

ERNST LUDWIG RUPPEL

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as

amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant, Claim Number, and Property

Ernst Ludwig Ruppel, Stourbridge, Worcester, England, 4706; Property described in Vesting Order No. 201 (8 F. R. 625, January 16, 1943) relating to United States Letters Patent No. 2,102,224.

Executed at Washington, D. C., on October 5, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-9030; Filed, Oct. 11, 1948; 8:51 a. m.]

[Vesting Order CE 458]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN MISSOURI, NEW JERSEY, NEW YORK, AND WISCONSIN COURTS

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it having been found:

1. That each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or the enemy-occupied territory identified in Column 2 of said Exhibit A opposite such person's name;

2. That, it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A opposite such person's name, and such measures having been taken;

3. That, in taking such measures in each of such actions or proceedings, costs and expenses were incurred in the amount stated in Column 4 of said Exhibit A opposite the action or proceeding identified in Column 3 of said Exhibit A,

4. That each amount stated in Column 4 of said Exhibit A has been paid from the property which each of said persons obtained or was determined to have as a result of the action or proceeding identified in Column 3 of said Exhibit A opposite such person's name and all of said amounts are presently in the possession of the Attorney General of the United States.

Now, therefore, there is hereby vested in the Attorney General of the United States, to be used or otherwise dealt with in the interest of and for the benefit of the United States, the amounts stated in Column 4 of said Exhibit A.

The term "designated enemy country" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended. The term "enemy-occupied territory" as used herein shall have the meaning prescribed in Rules of Procedure, Office of Alien Property, § 501.6 (8 CFR, Cum. Supp., 503.6)

Executed at Washington, D. C., on October 4, 1948.

For the Attorney General,

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested
		<i>Item 1</i>	
Agostina Arplani.....	Italy.....	Estate of Frank Arplani, deceased, probate Court, city of St. Louis, State of Missouri, No. 96038.	\$18.00
		<i>Item 2</i>	
Desiderio Arplani.....	do.....	Same.....	18.00
		<i>Item 3</i>	
Ermelinda Carpani.....	do.....	Same.....	18.00
		<i>Item 4</i>	
Carolina Blone.....	do.....	Estate of Floran Valpreda, deceased, Surrogate's Court, Monmouth County, State of New Jersey.	23.70
		<i>Item 5</i>	
Prospero Valpreda.....	France.....	Same.....	23.70
		<i>Item 6</i>	
Albert De Nardo.....	Italy.....	Estate of Mario De Nardo, deceased, Surrogate's Court, Queens County, State of New York, file No. 2326/1943.	1,443.70
		<i>Item 7</i>	
Anna Linda.....	do.....	Same.....	1,443.70
		<i>Item 8</i>	
Maria Prevorsehiz.....	Austria.....	Estate of Frank Staudacher, deceased, County Court, Milwaukee County, State of Wisconsin, No. 23032.	48.00

[F. R. Doc. 48-9001; Filed, Oct. 8, 1948; 8:53 a. m.]